



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 26.07.2021

CORAM:

THE HONOURABLE MS.JUSTICE V.M.VELUMANI

W.P(MD)No.12184 of 2021

WEB COPY

S.Selvamary

... Petitioner

vs.

1.The Director of School Education,
College Road,
Chennai - 600 006.

2.The Chief Educational Officer,
Dindigul District,
Dindigul.

3.The District Educational Officer,
Batlagundu Education District,
Batlagundu,
Dindigul District.

4.The Correspondent,
C.S.I Higher Secondary School,
Batlagundu,
Dindigul District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the third respondent to sanction incentive increment to the petitioner for acquiring higher qualification of M.A Degree (History) with effect from her eligibility ie., 29.05.2011 by considering her representation, dated 09.07.2021.

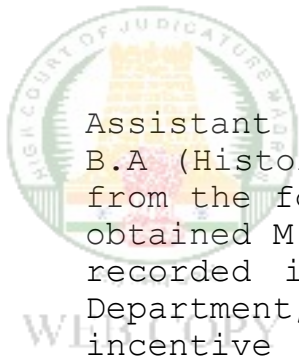
For Petitioner : Mr.J.Lawrance

For RR 1 to 3 : Mr.K.S.Selvaganesan
Government Advocate

ORDER

The petitioner has filed the present Writ Petition, to direct the third respondent to sanction incentive increment to her for acquiring higher qualification of M.A Degree (History) with effect from her eligibility ie., 29.05.2011, by considering her representation, dated 09.07.2021.

2. According to the petitioner, she was appointed as B.T



Assistant (History) by considering her educational qualification of B.A (History) and B.Ed in the year 2008. After obtaining permission from the fourth respondent, the petitioner studied M.A (History) and obtained M.A (History) Degree in the year 2011 and the same has been recorded in her Service Register. As per G.O(Ms)No.42, Education Department, dated 10.01.1969, the petitioner is entitled to receive incentive increment for obtaining higher qualification. The fourth respondent, sent a proposal, dated 02.12.2016, to the third respondent recommending to issue ratification order by approving her higher study of M.A Degree, as she did not obtain prior permission from the authority. The third respondent, by order, dated 21.12.2016, has informed that the proposal of ratification for approving the petitioner's higher studies would be considered, after obtaining clarification from the first respondent. The petitioner has sent a representation, dated 09.07.2021 to the respondents 1 to 3. But, so far, the first respondent has not passed any order. Hence, the petitioner has come out with the present Writ Petition.

3.Heard the learned counsel appearing for the petitioner and the learned Government Advocate appearing for the respondents 1 to 3.

4.Considering the above materials, without deciding the issue on merits, the respondents 1 to 3 are directed to consider the representation of the petitioner, dated 09.07.2021 and pass orders on merits and in accordance with law, within a period of eight weeks from the date of receipt of a copy of this order.

5.With the above direction, the Writ Petition is disposed of. No costs.

Sd/-

Assistant Registrar (T&P)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

ps

Note :

In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate / litigant concerned.



To

1.The Director of School Education,
College Road,
Chennai - 600 006.

2.The Chief Educational Officer,
Dindigul District,
Dindigul.

3.The District Educational Officer,
Batlagundu Education District,
Batlagundu,
Dindigul District.

+1 CC to M/s.J.LAWRANCE, Advocate (SR-23950[F] dated 27/07/2021)

+1 CC to M/s.SPL GP (SR-24012[F] dated 27/07/2021)

W.P(MD)No.12184 of 2021
26.07.2021

MGJ(25.08.2021) 3P 6C