



**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

**DATED: 26.07.2021**

**CORAM:**

**THE HONOURABLE MS.JUSTICE V.M.VELUMANI**

**W.P. (MD)No.6622 of 2019**

WEB COPY

J.Charless

... Petitioner

Vs.

1.The State of Tamil Needy,  
Rep. by its Principal Secretary,  
School Education Department,  
Fort St. George,  
Chennai-9.

2.The Joint Director of School Education (Secondary),  
Directorate of School Education,  
Chennai-600 006.

3.The District Educational Officer,  
Uthamapalayam,  
Theni District.

... Respondents

**PRAYER:** Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents to sanction incentive increment for possessing M.A.(English) and M.Ed., degree to the petitioner in the light of the orders of this Court in W.P(MD)No.11802 of 2013 and in the light of the G.O.(Ms)No.17, School Education Department, dated 08.01.2008 and G.O(Ms)No.209, School Education Department, dated 08.07.2010.

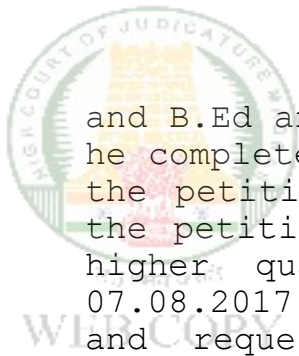
For Petitioner : Mr.R.J.Karthick

For Respondents : Mr.P.Subbaraj  
Government Advocate

**ORDER**

The petitioner has filed the present Writ Petition, to direct the respondents to sanction incentive increment for possessing M.A (English) and M.Ed., degree to him, in the light of the orders of this Court in W.P(MD)No.11802 of 2013 and in the light of G.O.(Ms)No.17, School Education Department, dated 08.01.2008 and G.O (Ms)No.209, School Education Department, dated 08.07.2010.

2.According to the petitioner, he was appointed as Secondary Grade Teacher on 08.06.1995 in Saint Aloysius Higher Secondary School, Royappanpatti, Theni District. At the time of his appointment, he was possessing educational qualification of B.Com



and B.Ed and entitled to receive incentive increments. Subsequently, he completed M.Ed Degree in April, 1998. After obtaining permission, the petitioner obtained M.A Degree in the year 2012. According to the petitioner, he is entitled to receive incentive increments for higher qualification. Hence, he sent a representation, dated 07.08.2017 to the Correspondent of the School through the Headmaster and requesting him to sanction the incentive increments for acquiring higher qualification. The third respondent forwarded the same to the second respondent. The second respondent has not passed any order. Again the third respondent sent a reminder, dated 21.04.2018. But, no order was passed by the second respondent. 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 and perused the entire materials available on record.

4.Considering the above materials, without deciding the issue on merits, the second respondent is directed to consider the representation of the petitioner, dated 07.08.2017, in the light of the proceedings of the third respondent, dated 22.09.2017 and 21.04.2018 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 (CS-I)

// 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 Principal Secretary,  
School Education Department,  
Fort St. George,  
Chennai-9.



2.The Joint Director of School Education (Secondary),  
Directorate of School Education,  
Chennai-600 006.

3.The District Educational Officer,  
Uthamapalayam,  
Theni District.

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RK (25.08.2021) 3P 4C