



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 01.04.2021

CORAM:

THE HONOURABLE MR.JUSTICE **M.DHANDAPANI**

W.P. (MD)No.14245 of 2016

S.Suseela

... Petitioner

versus

1. The Government of Tamil Nadu,
Rep. by its Secretary to Government,
Department of School Education,
Secretariat,
Chennai - 600 009.
2. The Director of Elementary Education,
DPI Campus,
College Road,
Chennai - 6.
3. The District Elementary Educational Officer,
Thanjavur District,
Thanjavur.
4. The Assistant Elementary Educational Officer,
Ammapettai,
Thanjavur District.
5. The Headmistress,
Panchayat Union Middle School,
Raramurthiraikottai,
Thanjavur District.

...Respondents

Writ Petition filed under Article 226 of the Constitution of India, praying for the issuance of Writ of Mandamus, to direct the respondents to sanction incentive increment to the petitioner for having acquired higher qualification of M.Com, and B.Ed. from the date of acquiring the degree with all consequential benefits by considering the representation submitted by the petitioner before the 5th respondent in part No.35/2014-15 dated 06/01/2015.

For Petitioner	:	Mr.S.Muthumalairaja
For Respondents	:	Mrs.S.Srimathy, Special Government Pleader

ORDER

The present writ petition has been filed seeking for the issuance of Writ of Mandamus, to direct the respondents to sanction incentive increment to the petitioner for having acquired higher qualification of M.Com, and B.Ed. from the date of acquiring degree



with all consequential benefits by considering the representation dated 06.01.2015.

2. The case of the petitioner is that she joined the post of Secondary Grade Teacher in the 5th respondent School. After joining the said post, she completed M.Com in the year 2012 and B.Ed. in the year 2014 after getting permission from 4th respondent. Hence, she made a representation dated 06.01.2015, before the 4th respondent through 5th respondent, requesting to sanction incentive increments for her higher qualification. Till date, no order has been passed. Hence, the present writ petition is filed.

3. The learned counsel appearing for the petitioner submitted that it would suffice for the petitioner, if the respondents are directed to consider the representation made by her on 06.01.2015.

4. With regard to the grant of incentive/advance increment for higher qualification, the Government issued a G.O.Ms.No.37, Personnel and Administrative Reforms (FR-IV) Department, dated 10.03.2020, wherein, it is stated that the cases of Government servants, who have acquired higher qualification prior to issue of this general order and not sanctioned with advance increments be examined separately as per the previous orders issued, if any, by the administrative department concerned and with reference to the posts specified in that order and if he is otherwise qualified, then the advance increment may be sanctioned by the administrative department concerned after obtaining concurrence of Finance Department.

5. In view of the above, I am inclined to issue a direction to the respondents to consider the petitioner's representation dated 06.01.2015, in the light of G.O.Ms.No.37, dated 10.03.2020.

6. Accordingly, the Writ Petition is disposed of, directing the respondents to consider the petitioner's representation dated 06.01.2015 in the light of G.O.Ms.No.37, dated 10.03.2020 and pass orders on merits and in accordance with law, within a period of 12 weeks from the date of receipt of a copy of this order. No costs.

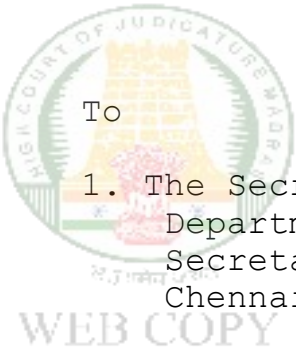
Sd/-

Assistant Registrar (Records)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)



To

1. The Secretary to Government,
Department of School Education,
Secretariat,
Chennai - 600 009.
2. The Director of Elementary Education,
DPI Campus,
College Road,
Chennai - 6.
3. The District Elementary Educational Officer,
Thanjavur District,
Thanjavur.
4. The Assistant Elementary Educational Officer,
Ammapettai,
Thanjavur District.
5. The Headmistress,
Panchayat Union Middle School,
Raramurthiraikottai,
Thanjavur District.

+1 CC to M/s.SPL GP (SR-15472[F] dated 08/04/2021)

W.P. (MD) No.14245 of 2016
01.04.2021

SE (CO)
KB (25.05.2021) 3P 7C