



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED:12.03.2021

CORAM:

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

W.P. (MD)No.11916 of 2017

and

W.M.P (MD)No.9180 of 2017

WEB COPY

T.Anne Bercila

... Petitioner

Vs.

1.The State of Tamil Nadu,
Rep by its Secretary
Department of School Education,
Fort St. George,
Chennai-600 009.

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

3.The Chief Educational Officer,
Kanyakumari District at
Nagercoil-629 001.

4.The District Educational Officer,
Kuzhithurai at Marthandam,
Kanyakumari District.

5.The Correspondent,
Concordia Higher Secondary School,
Pootteti, Theruvukkadai Post,
Kanyakumari District-629 157.

... Respondents

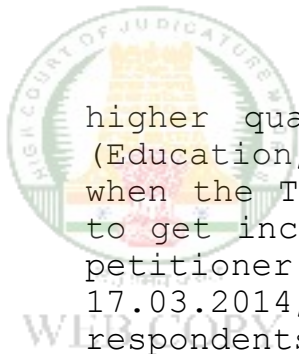
Prayer: Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents to sanction two advanced increments to the petitioner for acquiring M.Phil Degree with effect from 13.04.2009.

For Petitioner : Mr.S.Xavier Rajini
For R1 to R4 : Mr.C.M.Marichelliah Prabhu
Additional Government Pleader

O R D E R

This writ petition has been filed for a direction to the respondents to sanction two advanced increments to the petitioner for acquiring M.Phil Degree, with effect from 13.04.2009.

2.The case of the petitioner is that initially the petitioner joined as PG Assistant in Botany, on 17.11.1993 in the fifth respondent School. While the petitioner was in service, she acquired



higher qualification viz., M.Phil Degree. As per G.O.Ms.No.1170, (Education, Science and Technology Department) dated 20.12.1993, when the Teachers, who acquired higher qualification, are entitled to get incentive increments. In order to avail such increments, the petitioner has made several representations on 17.03.2014, 25.11.2014, 21.09.2015, 15.02.2016 and 22.03.2017 to the respondents. So far no order has been passed. Hence, the present writ petition is filed.

3.The learned counsel appearing for the petitioner would submit that this Court may issue a direction to the respondents to consider the petitioner's representation dated 22.03.2017 in accordance with law.

4.The learned Government Advocate appearing for the respondents 1 to 4 has no serious objection for considering the petitioner's representation.

5.Considering the limited request made by the learned counsel for the petitioner, this Court directs the fourth respondent to consider the petitioner's representation dated 22.03.2017 and pass appropriate orders on merits and in accordance with law, if the petitioner is otherwise eligible, within a period of twelve weeks from the date of receipt of a copy of this order, if not disposed of already.

6.With the above direction, this Writ Petition is disposed of. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (CS-I)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

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To

1.The Secretary
State of Tamil Nadu,
Department of School Education,
Fort St. George,
Chennai-600 009.

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



3.The Chief Educational Officer,
Kanyakumari District at
Nagercoil-629 001.

4.The District Educational Officer,
Kuzhithurai at Marthandam,
Kanyakumari District.

+1 CC to Mr.S.XAVIER RAJINI, Advocate (SR-11217[F]dated
15/03/2021)

+1 CC to M/s.SPL GP (SR-11178[F] dated 15/03/2021)

W.P. (MD) No.11916 of 2017
and
W.M.P (MD) No.9180 of 2017
12.03.2021

VB (26.03.2021) 3P 7C