



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED:22.03.2021

CORAM:

THE HONOURABLE MR.JUSTICE M.DHANDAPANI
W.P. (MD)No.22448 of 2017

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S.Shanthi

... Petitioner

Vs.

- 1.The Director of Elementary Education,
D.P.I.Campus,
Nungambakkam,
Chennai -6.
- 2.The District Elementary Educational Officer,
Madurai District,
Madurai-1.
- 3.The Additional Assistant Elementary Educational Officer,
Madurai West,
Madurai.
- 4.The Headmistress,
Madurai West Panchayat Union Primary School,
Pothumbu,
Madurai - 18.

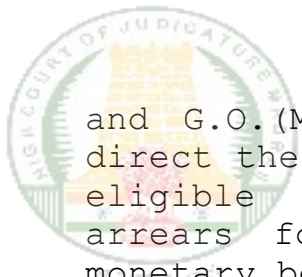
... Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus directing the respondents to consider the petitioner's higher qualifications in the light of G.O.Ms.No.42 Education Department dated 10.01.1969 and G.O.Ms.No.1023 Education Department dated 09.12.1993 and direct the respondents 1 to 3 to sanction the incentive increments eligible for petitioner's higher qualifications acquired by her and also 3% arrears for selection grade and confer all the consequential monetary benefits.

For Petitioner	: Mr.S.Arivalagan
For Respondents	: Mr.M.Muthugeethayan
	Special Government Pleader

O R D E R

This writ petition has been filed for a direction to the respondents to consider the petitioner's higher qualifications, in the light of G.O. (Ms.) No.42 Education Department, dated 10.01.1969



and G.O.(Ms.)No.1023 Education Department, dated 09.12.1993 and direct the respondents 1 to 3 to sanction the incentive increments eligible for petitioner's higher qualifications and also 3% arrears for selection grade and confer all the consequential monetary benefits.

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2. The case of the petitioner is that the petitioner was appointed as a Secondary Grade Teacher in the year 1999 and she sought permission for studying B.Ed., and M.A., Tamil and secured the said certificates. Thereafter, she made an application to the respondents on 01.08.2017, claiming two incentive increments for acquiring the higher qualifications. However, till date the same was not considered. Hence, the petitioner has filed the present writ petition.

3. The learned Special Government Pleader appearing for the respondents would submit that the petitioner's application was returned on 28.08.2017 and till date, the said application was not resubmitted by the petitioner and if the petitioner resubmitted the application, the same will be considered, in accordance with law and as per the existing G.Os.

4. Considering the fact that though the writ petition has been filed for a Mandamus directing the respondents 1 to 3 to sanction the incentive increments, admittedly, the petitioner's application was returned on 28.08.2017. Hence, the prayer sought for by the petitioner in this writ petition cannot be granted. Accordingly, this Writ Petition is dismissed. However, this order will not stand in the way of the petitioner to resubmit the application within a period of two weeks from the date of receipt of a copy of this order and if the petitioner resubmitted the application for incentive increments, the same has to be considered, in accordance with law and as per the existing G.Os., as expeditiously as possible. No costs.

Sd/-

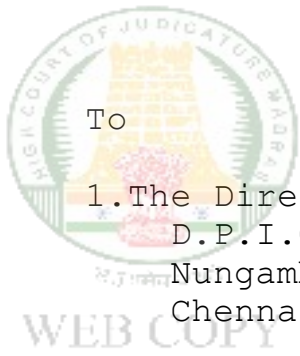
Assistant Registrar (CS-III)

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/ /2021

Sub Assistant Registrar (CS)

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To

1.The Director of Elementary Education,
D.P.I.Campus,
Nungambakkam,
Chennai -6.

2.The District Elementary Educational Officer,
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3.The Additional Assistant Elementary Educational Officer,
Madurai West,
Madurai.

+1 CC to SPL GP (SR-12955[F] dated 23/03/2021)

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