



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 21.02.2022

CORAM:

WEB COPY

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P(MD)No.11062 of 2019

and

W.M.P(MD)Nos.8425 and 8426 of 2019

R.Amudharanjani

:Petitioner

.vs.

1.The State of Tamil Nadu,
Rep by its Secretary,
Department of School Education,
Fort St. George,
Chennai-600 006.

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

3.The Chief Educational Officer,
Madurai, Madurai District.

4.The Headmaster,
Government Girls Higher Secondary School,
Solavandhan-635 214
Madurai District.

: Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus, calling for the records relating to the impugned proceedings issued by the 3rd respondent CEO in Moo.Mu.No.8386/Aa 2/2018 dated 23.10.2018, quash the same and further direct the respondents to sanction forthwith the 3rd incentive increment to the petitioner for acquiring additional higher qualification viz., M.Phil, degree.

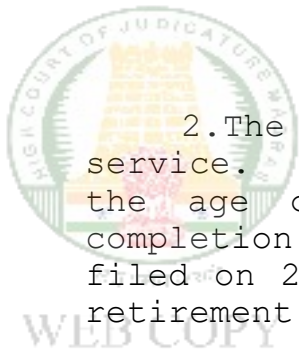
For Petitioner :No appearance

For Respondent :Mr.G.V.Viram Santhosh

Additional Government Pleader

O R D E R

The order impugned dated 23.10.2018, is under challenge in the present writ petition.



2.The petitioner was working as P.G Assistant and retired from service. The writ petition itself has been filed after attaining the age of superannuation by the petitioner on 31.05.2016 on completion of re-employment period. But, the writ petition was filed on 27.04.2019, after a lapse of three years from the date of retirement.

3.The grievance raised by the petitioner is that the third incentive increment has not been paid to him.

4.In respect of the incentive increment for possessing additional educational qualification, the petitioner ought to have redressed the same, while she was working, even otherwise as per the Government Policy, the teacher is eligible to get only two incentive increment for possessing additional qualification and third incentive increment has not been contemplated as per the Government Policy. The issue in this regard is settled by the High Court also.

5.Thus, the teacher, who is in service for possession of additional Educational qualification, is eligible to get two incentive increment if the teacher is otherwise eligible in accordance with the terms and conditions of the Government Orders. However, the third incentive increment is not contemplated in the Government Policy and therefore the petitioner is not entitled for third incentive increment. Accordingly, this Writ Petition stands dismissed. No costs.

Sd/-

Assistant Registrar (T&P)

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/ /2022

Sub Assistant Registrar (CS)

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To

- 1.The Secretary,
Department of School Education,
Fort St. George,
Chennai-600 006.
- 2.The Director of School Education,
College Road, Chennai-600 006.
- 3.The Chief Educational Officer,
Madurai, Madurai District.



4.The Headmaster,
Government Girls Higher Secondary School,
Solavandhan-635 214
Madurai District.

+1 CC to M/s.SPL GP (SR-7777[F] dated 22/02/2022)

+1 CC to M/s.M.J.SHABU JOSE, Advocate (SR-8168[F] dated
23/02/2022)

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and

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SVN (CO)

KB (08.03.2022) 3P 7C