



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 25.04.2022

CORAM

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P. (MD) No.11727 of 2019

M.John Mohamed

... Petitioner

-vs-

1. The Chief Educational Officer,
Madurai District, Madurai-2.

2. The District Educational Officer,
Melur, Madurai District.

3. The Correspondent,
Al-Ameen Higher Secondary School,
K.Pudur, Madurai-7.

... Respondents

Prayer:- Petition filed under Article 226 of the Constitution of India praying for issuance of Writ of Mandamus directing the respondents to award bonus increment to the petitioner based on the representation dated 05.04.2019.

For Petitioner : Mr.P.Gunasekaran

For RR1 & 2 : Mr.G.V.Vairam Santhosh
Additional Government Pleader

For R3 : No appearance

O R D E R

The petitioner is a Post Graduate Assistant in Commerce. The grievance of the petitioner is that the bonus increment for stagnation in the post of Post Graduate Assistant has not been awarded to him as per the Government Orders in force. It is contended that the Government issued G.O.Ms.No.234, Finance (Pay Cell) Department, dated 01.06.2009 and Clause 5 provides stagnation increment. Sub-clause (ii) of Clause 5 contemplates that "in the case of employees who have completed 30 years of continuous service



in the same post, they shall be granted one bonus increment at the rate of three per cent of basic pay including Grade pay".

2. The grievance of the petitioner is that the 3rd respondent is not sending proposal to the 1st and 2nd respondents for the purpose of considering the case of the writ petitioner for grant of stagnation increment.

3. The learned Additional Government Pleader made a submission that if any such proposal is submitted, the same will be considered in accordance with the Government Orders in force.

4. In view of the said submission, the 3rd respondent is directed to submit a proposal for grant of stagnation increment to the writ petitioner along with his service particulars within a period of four weeks from the date of receipt of a copy of this order. On receipt of such proposal from the 3rd respondent, respondents 1 and 2 are directed to consider the same based on the Government Orders in force and pass appropriate orders on merits and in accordance with law within a period of 12 weeks from the date of receipt of a copy of the proposal from the 3rd respondent.

5. With the above directions, this Writ Petition stands disposed of. No costs.

Sd/-

Assistant Registrar (CS I)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

abr

To

1. The Chief Educational Officer,
Madurai District, Madurai-2.
2. The District Educational Officer,
Melur, Madurai District.
3. The Correspondent,
Al-Ameen Higher Secondary School,
K.Pudur, Madurai-7.

+1 CC to M/s.SPL.GP. (SR-21234[F] dated 26/04/2022)

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MGJ(25.05.2022) 2P 5C

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