



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 07.04.2022

CORAM:

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P. (MD) No.6018 of 2019

S.Prema

... Petitioner

vs.

1.The Director of School Education
DPI Complex, College Road
Chennai-600 006

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

3.The Chief Educational Officer
Dindigul District, Dindigul

4.The Headmaster
Nehruji Memorial Corporation
Higher Secondary School
Dindigul, Dindigul District

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of writ of mandamus directing the respondents herein to sanction one set of third incentive increment to the petitioner for acquiring higher qualifications of M.Phil., (Zoology) from the date of his promotion as P.G.Assistant i.e. from 21.11.2011 by considering his representation dated 24.09.2018.

For Petitioner : Mr.J.Lawrance

For Respondents : Mr.G.V.Vairam Santhosh

Additional Government Pleader

O R D E R

The relief sought for in this writ petition is to direct the respondents herein to sanction one set of third incentive increment to the petitioner for acquiring M.Phil., (Zoology) from the date of her promotion as P.G.Assistant i.e. from 21.11.2011 by considering her representation, dated 24.09.2018.

2. The writ petitioner is working as P.G.Assistant (Zoology) in the fourth respondent School. On possessing additional educational qualification, the petitioner submitted an application for incentive increment as per the Government Orders. Two incentive increments were sanctioned in favour of the petitioner and she is receiving two incentive increments. Thereafter, the petitioner



submitted a representation seeking third incentive increment for possessing additional educational qualification. The claim of the writ petitioner has not been considered by the respondents till date. Hence, the writ petitioner was constrained to move the present writ petition.

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3. The issue with regard to grant of third incentive increment was already adjudicated by the Honourable Division Bench of this Court, vide Judgment dated 29.06.2018 in W.A.No.1664 of 2016, by stating that a Teacher is entitled to get only two incentive increments throughout the service. This Court has also passed number of orders stating that as per the Government Orders in force, the Teacher is entitled to get two incentive increments in the entire service. In the present case, admittedly, the petitioner is already receiving two incentive increments and therefore, she is not entitled for third incentive increment as per the Government Order in force. In such view of the matter, the relief sought for by the petitioner cannot be granted.

4. Accordingly, the writ petition is dismissed. No costs.

Sd/-

Assistant Registrar (CS-III)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

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To:

- 1.The Director of School Education,
DPI Complex, College Road,
Chennai-600 006.
- 2.The Joint Director of School Education,
DPI Complex, College Road,
Chennai-600 006.
- 3.The Chief Educational Officer,
Dindigul District,
Dindigul.
- 4.The Headmaster,
Nehruji Memorial Corporation,
Higher Secondary School,
Dindigul, Dindigul District.



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+1 CC to M/s.J. LAWRENCE, Advocate (SR-17461[F] dated 08/04/2022)

+1 CC to M/s.SPL.G.P (SR-17608[F] dated 08/04/2022)

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