



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 06.07.2022

CORAM

THE HONOURABLE MR.JUSTICE G.CHANDRASEKHARAN

W.P. (MD)No.14388 of 2022

T.Vanaja

... Petitioner

Vs.

1. The Chief Educational Officer,
Nagercoil,
Kanyakumari District.
2. The District Educational Officer,
Nagercoil,
Kanyakumari District.
3. The Secretary,
S.M.S.M.Higher Secondary School,
Suchindram,
Kanyakumari District.

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India praying for issuance of Writ of Mandamus directing the respondents to sanction yearly increments from 2018 onwards to the petitioner with all consequential benefits by considering representation dated 16.05.2022.

For Petitioner : Mr.V.Panner Selvam

For Respondents : Mr.A.Kannan
Addl. Govt. Pleader for R1 & R2

O R D E R

The relief sought for in the present writ petition is to direct the respondents to sanction yearly increment from 2018 onwards to the petitioner with all consequential benefits, based on the representation, dated 16.05.2022 submitted by him.

2. The learned counsel for the petitioner submitted that the petitioner joined as P.G.Assistant in third respondent School on 30.01.1986. Thereafter, she passed M.Ed., in the year 1989. As per



the scheme, she was awarded one set of incentive increment for the higher qualification of M.Ed. After getting permission, she pursued M.Phil., and passed in the year 2009. She was granted second set of incentive increment for the higher qualification of M.Phil., In 2014, an audit objection was raised with regard to sanction of incentive increment for M.Phil., Subsequently, that audit objection was cancelled by proceedings of the Chief Educational Officer, Kanyakumari District in O.Mu.No.2551/A3/2016 dated 20.04.2016. Thereafter, the petitioner has not been paid with annual increment from 2018 onwards. In this regard, she submitted a representation to the respondents on 16.05.2022. Since no action had been taken on her representation, she filed this petition.

3. Heard Mr.V.Panner Selvam, learned counsel appearing for the petitioner and Mr.A.Kannan, learned Additional Government Pleader appearing for the respondents 1 and 2.

4. The annual increment is automatic unless it is withheld by the departmental proceedings legally conducted. Considering the limited scope of the prayer sought for herein that the petitioner's representation dated 16.05.2022 is to be considered by the respondents for grant of yearly increment from 2018 with all consequential benefits, this Court directs the respondents to consider the petitioner's representation dated 16.05.2022 and pass appropriate orders, within a period of two weeks from the date of receipt of a copy of this order.

5. With the above direction, this Writ Petition is disposed of. No costs.

Sd/-

Assistant Registrar (Records)

// True Copy //

07/07/2022

Sub Assistant Registrar(CS)

vji

To

1. The Chief Educational Officer,
Nagercoil,
Kanyakumari District.
2. The District Educational Officer,
Nagercoil,
Kanyakumari District.



3. The Secretary,
S.M.S.M.Higher Secondary School,
Suchindram,
Kanyakumari District.

WEB COPY

+1 CC to M/s.V. PANNEER SELVAM, Advocate (SR-30292[F] dated
06/07/2022)

+1 CC to M/s.SPL.GP (SR-30416[F] dated 07/07/2022)

W.P. (MD) No.14388 of 2022
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MGJ(07.07.2022) 3P 6C