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W.P.No.1239 of 2023

**IN THE HIGH COURT OF JUDICATURE AT MADRAS**

**DATE: 19.01.2023**

**CORAM**

**THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH**

**Writ Petition No.1239 of 2023**

T.Geetha

D/o.M.Thangaraj

.. Petitioner

Vs.

1.The Bishop,  
CSI Coimbatore Diocese,  
Race Course Road,  
Coimbatore.

2.The Chief Educational Officer,  
Ooty, The Nilgiris District.

3.The District Elementary Educational Officer,  
Ooty, The Nilgiris District.

4.The Block Educational Officer,  
Range-1, Coonoor,  
The Nilgiris District.

5.The Correspondent,  
C.S.I. Middle School,  
Mission Hill, Coonoor,  
The Nilgiris District.

... Respondents



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Writ Petition filed under Article 226 of the Constitution of India, seeking for issuance of a Writ of Mandamus directing the second respondent to sanction incentive increment to the petitioner from the year 2014 onwards for the petitioner's higher qualification of M.A. and B.Ed., degree as per G.O.Ms.No.42, Education, dated 10.01.69 and give all consequential benefits, by considering the representation dated 10.12.2022 and within a time to be stipulated by this Court.

For Petitioner : Mr.P.Ganesan

For Respondents : Mr.S.Bharathirajan [R1 & R5]  
Mr.D.Ravichander,  
Special Government Pleader [R2 to R4]

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### **ORDER**

This writ petition has been filed for issuance of a writ of mandamus directing the second respondent to sanction incentive increment to the petitioner from the year 2014 onwards in line with G.O.Ms.No.42, Education, dated 10.01.1969 and to give all consequential benefits.

2. The case of the petitioner is that she joined as a Secondary Grade Teacher in the year 2001 and worked in a primary school till the year 2011. Thereafter, the petitioner was transferred to the fifth respondent



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school in the year 2011 and presently, she is working as a Headmistress in the fifth respondent school from 13.08.2017 onwards.

3. While the petitioner was in service, she completed M.A. and B.Ed. after getting proper permission from the fifth respondent school. After the completion of these degrees, the same was also recorded in her service register and it was also informed to the concerned authorities.

4. The petitioner made a representation on 10.12.2022 seeking for incentive increment for having obtained higher qualification in line with G.O.Ms.No.42, Education, dated 10.01.1969. Since the same was not considered, the present writ petition has been filed before this Court seeking for appropriate directions.

5. Heard Mr.P.Ganesan, learned counsel for the petitioner, Mr.S.Bharathirajan, learned counsel appearing for the respondents 1 and 5 and Mr.D.Ravichander, learned Special Government Pleader, appearing for respondents 2 to 4.



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6. Learned Special Government Pleader appearing on behalf of the respondents 2 to 4 submitted that necessary particulars are awaited from the fifth respondent school and that is the reason why there is a delay in considering the representation made by the petitioner. It was further submitted that once the necessary particulars are provided by the fifth respondent school, the same shall be taken into consideration and the representation made by the petitioner will be acted upon.

7. *Per contra*, learned counsel for the petitioner submitted that the fifth respondent had already submitted all the necessary particulars before the respondents 2 and 3. If required, the petitioner will once again request the fifth respondent to submit all the particulars before the concerned authorities.

8. Taking into consideration the limited relief sought for in this writ petition and without going into the merits of the case, there shall be a direction to the third respondent to consider the representation made by the petitioner on 10.12.2022 and deal with the same on its own merits and in



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accordance with law and take a decision within a period of six weeks from the date of receipt of a copy of this order. The petitioner shall ensure that necessary particulars are sent to the third respondent by the fifth respondent school in order enable the third respondent to take a decision. The petitioner shall make a fresh representation along with all the relevant documents and also a copy of this order.

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

**19.01.2023**

Neutral Citation: Yes/No  
Index: yes/no  
Speaking Order/Non-Speaking Order  
gm

- To
- 1.The Chief Educational Officer,  
Ooty, The Nilgiris District.
  - 2.The District Elementary Educational Officer,  
Ooty, The Nilgiris District.
  - 3.The Block Educational Officer,  
Range-1, Coonoor,  
The Nilgiris District.



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**N.ANAND VENKATESH, J**

gm

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