



WEB COPY



Writ Petition No.2689 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :03.02.2023

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

Writ Petition No. 2689 of 2023

- 1.T.Samuel
S/o.S.Thomas Abraham
- 2.M.Mohankumar
S/o.M.Muniappa
- 3.Johan Peter. M.
S/o.Manivelu
- 4.M.Usha Rani
D/o.A.Mathesan
- 5.D.Glory Selvam Mary
D/o.Durai Pandian
- 6.A.Dhinakaran Koil Mani
S/o.Anantha Singh
- 7.V.Thavamani
S/o.Vediboyan K

...Petitioners

Vs

1. The Government of Tamil Nadu,
Represented by its Secretary,
Finance Department,
Fort St.George,
Chennai – 600 009.



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2. The Government of Tamil Nadu,
represented by its Secretary,
Human Resource, Fort St.George,
Chennai – 600 009.
3. The Government of Tamil Nadu,
represented by its Secretary,
School Education Department,
Fort St. George, Chennai – 600 009.
4. The Commissioner,
School Education,
DPI Campus, Chennai – 600 006.
5. The Chief Educational Officer,
Krishnagiri District.
6. The District Elementary Education Officer,
Hosur, Krishnagiri District.
7. Block Educational Officer,
Thally Block, Krishnagiri District.

... Respondents

PRAYER : Writ Petition filed Under Article 226 of the Constitution of India, to issue a writ of Mandamus, directing the respondent herein to consider the representations of the petitioners dated 14.02.2020, 07.03.2020 and 22.10.2020 and accordingly, grant the petitioners with incentive increment for having obtained Additional Qualification with effect from the date of acquisition in accordance with G.O.Ms.No.37, Personnel and Administrative (FR IV) Department, dated 10.03.2020, G.O.Ms.No.116, dated 15.10.2020 by taking into consideration the fact that the petitioners had acquired the additional qualification prior to the issuance of



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G.O.Ms.No.37 Personnel And Administrative (FR IV) Department dated
10.03.2020.

For Petitioners : Ms.Suneetha

For Respondents : Mrs.M.Jayanthi
Additional Government Pleader

ORDER

This writ petition has been filed for issuance of a writ of mandamus directing the respondents to consider the representation made by the petitioners wherein the petitioners have sought for incentive increment for obtaining additional qualification in accordance with G.O.Ms.No.37, dated 10.03.2020 and G.O.Ms.No.116, dated 15.10.2020.

2. Heard Ms.Suneetha, learned counsel for petitioners and Mrs.Jayanthi, learned Additional Government Pleader, appearing for respondents.

3. The grievance of the petitioners is that the petitioners have obtained additional qualification and are entitled for incentive increment.



The petitioners have made several representations in this regard and the same have not been considered by placing reliance upon G.O.Ms.No.37, dated 10.03.2020. According to the petitioners, G.O.Ms.No.116, dated 15.10.2020 was subsequently issued whereby it was clarified that the persons, who have acquired additional qualification prior to G.O.Ms.No.37, dated 10.03.2020 will be entitled for incentive increment. Since no orders were passed on the representation made by the petitioners, the present writ petition has been filed before this Court seeking for appropriate direction.

4. Taking into consideration the limited relief sought for in this writ petition and without going into merits of the case, there shall be a direction to the sixth respondent to consider the representation made by the petitioners on 22.10.2020 and deal with the same on its own merits and in accordance with relevant Government orders and take a decision within a period of six (6) weeks from the date of receipt of a copy of this order. If the sixth respondent is satisfied with the claim made by the petitioners, the same shall be forwarded to the first respondent in order to enable payment of incentive increments. The petitioners are directed to make a fresh representation to the sixth respondent along with all relevant documents and



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also a copy of this order. A copy of the same shall be marked to the respondents 1 and 3.

This Writ Petition is disposed of with the above direction. No costs.

03.02.2023

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Index : Yes/No
Speaking order: Yes/No
Neutral citation: Yes/No
gm

To

1. The Secretary,
Finance Department,
Fort St.George,
Chennai – 600 009.
2. The Secretary,
Human Resources, Fort St.George,
Chennai – 600 009.
3. The Secretary,
School Education Department,
Fort St. George, Chennai – 600 009.



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4. The Commissioner,
School Education,
DPI Campus, Chennai – 600 006.
5. The Chief Educational Officer,
Krishnagiri District.
6. The District Elementary Education Officer,
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