



W.P.Nos.26414 to 26420 of 2015

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 27.07.2023

CORAM:

THE HONOURABLE MR.JUSTICE **G.K.ILANTHIRAIYAN**

W.P.Nos.26414 to 26420 of 2015 and
MP.Nos.1 of 2015(7 Nos.)

WP.No.26414 of 2015

P.Gourammal

... Petitioner

Vs.

- 1.Government of Tamilnadu,
Represented by Secretary to the Government,
School Education Department,
Secretariat, Chennai 600 009
- 2.The Director of Elementary Education,
College Road, Chennai 600 006
- 3.The District Elementary Educational Officer,
Krishnagiri District, Krishnagiri
- 4.The Assistant Elementary Educational Officer,
Uthangarai Panchayat Union,
Krishnagiri District, Krishnagiri

... Respondents

PRAYER: Writ petition is filed under Article 226 of the Constitution of India to issue a writ of certiorarified mandamus calling for the records of the 3rd and 4th respondents in relation to the proceedings issued in Na.Ka.No.3784 A4/2014 dated 30.01.2015 by the third respondent confirming the order of the fourth respondent issued in Na.Ka.No.1378/



W.P.Nos.26414 to 26420 of 2015

A1/2014 dated 07.11.2014 and quash the same and issue a consequential direction to the respondents to grant incentive increments to the petitioner for acquiring higher qualification of B.Ed from 18.12.2011 with arrears of salary.

For Petitioner
in all WP's : Mr.R.Saseetharan

For Respondents
in all WP's : Mr.R.Ramanlaal,
Additional Advocate General
Assisted by
Mr.Yogesh Kannadasan,
Special Government Pleader

COMMON ORDER

These writ petitions have been filed challenging the orders passed by the third and fourth respondents.

2. All the petitioners claimed incentive increment for their completion of B.Ed. individually. By separate order, the fourth respondent rejected their claim and aggrieved by the same, all the petitioners filed separate appeal before the third respondent. By common order dated 30.01.2015, the third respondent rejected their appeal and confirmed the order passed by the fourth respondent. Therefore, this Court is inclined to pass common order in all the writ petitions.



W.P.Nos.26414 to 26420 of 2015

WEB COPY

3. The petitioners were appointed as Secondary Grade Teacher at Panchayat Union Primary School in a consolidated pay. Thereafter, their services were regularised in the regular time scale of pay. Thereafter, they were promoted as Primary School Headmaster to their respective schools. All the petitioners were acquired B.Lit. Degree in Tamil from the recognised University. According to their qualification, they were promoted as Middle School Headmaster. According to the petitioners, for the post of Middle School Headmaster, the prescribed qualification is degree in B.Ed or a Tamil degree or B.Lit with SSLC, Secondary Grade Teacher Training Certificate or oriental title of learning with SSLC and Secondary Grade Teacher Training or B.Ed. To become Middle School Headmaster, a B.Ed degree is not necessary for the candidates holding Tamil degree or a B.Lit with Secondary Grade Teacher Training Certificate. Since the petitioners are holding Tamil degree with SSLC and Secondary Grade Teacher Training, they were promoted as Middle School Headmaster. Therefore, all the petitioners were claimed incentive increment for the B.Ed qualification. However, their claims were rejected



W.P.Nos.26414 to 26420 of 2015

by the fourth respondent and the same was also confirmed by the third respondent.

4. Heard, the learned counsel appearing on either side.

5. On perusal of counter affidavit filed by the third respondent revealed that the required essential qualification for a B.Ed Grade Middle School Headmaster is a degree of any university in the State or a degree of equivalent standard and B.T. or B.Ed degree of any University in the State - vide Rule (G) (b) (1) of Special Rules for Tamilnadu Elementary Educational Subordinate Services. As per the service rules, a Language Pandit Grade-1 (without B.Ed qualification) may be appointed as Middle School Headmaster by transfer of post based on their Secondary Grade Teacher Training Qualification. But the petitioners could not be considered as B.Ed Grade Headmaster without B.Ed. Therefore, the second incentive increment for B.Ed educational qualification could not be granted for the petitioners. B.T.Assistants / B.Ed Grade Middle School Headmasters / High School Headmasters are eligible for second increment



W.P.Nos.26414 to 26420 of 2015

for M.Ed. or M.Phil. / Ph.D. Further, the petitioners in all the writ petitioners did not acquire B.Ed Higher Educational while they were working as Second Grade Teacher and therefore they were not granted any incentive increment during their Secondary Grade Teacher Service. Those who were acquired master degree through Open University System, they were awarded incentive increment. They were working as B.Ed Grade Middle School Headmaster.

6. Therefore, they are not eligible to get second incentive increment for completion of their B.Ed Education qualification for the reason that B.Ed degree is essential and required professional educational qualification for holding the post of B.T Assistant and B.Ed Grade Middle Headmaster post. Therefore, the claim of the petitioners were rightly rejected by respondents 3 & 4 and this Court finds no infirmity or illegality in the impugned orders.



W.P.Nos.26414 to 26420 of 2015

7. Accordingly, all the writ petitions are dismissed.

Consequently, connected miscellaneous petitions are closed. There shall be no order as to costs.

27.07.2023

Index :Yes/No

Internet : Yes/No

Speaking order/non-speaking order

lok



WEB COPY



W.P.Nos.26414 to 26420 of 2015



WEB COPY



W.P.Nos.26414 to 26420 of 2015

G.K.ILANTHIRAIYAN, J.

lok

To

1. Secretary to the Government,
Government of Tamilnadu,
School Education Department,
Secretariat, Chennai 600 009
2. The Director of Elementary Education,
College Road, Chennai 600 006
3. The District Elementary Educational Officer,
Krishnagiri District, Krishnagiri
4. The Assistant Elementary Educational Officer,
Uthangarai Panchayat Union,
Krishnagiri District, Krishnagiri
5. The Government Advocate,
Madras High Court

W.P.Nos.26414 to 26420 of 2015

27.07.2023