



W.P. No. 8334 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 17.03.2023

CORAM

THE HON'BLE MR. JUSTICE P.D. AUDIKESAVALU

W.P. No. 8334 of 2023

K.M.Mohan

... Petitioner

-VS-

1. The Secretary to the Government of Tamil Nadu,
School Education Department,
Fort St.George,
Chennai – 600005.
2. The Commissioner,
School Education Department,
College Road,
Nungambakkam,
Chennai – 600006.
3. The Chief Educational Officer,
Tiruvallur,
Tiruvallur District.
4. The District Educational Officer,
Tiruvallur,
Tiruvallur District.
5. The Headmaster,
Government High School,
Rajanagam,
Tiruvallur District.

... Respondents

Prayer:- Writ Petition filed under Article 226 of the Constitution of India, 1950, praying to issue a Writ of Mandamus, directing the Respondents to sanction second incentive increment to the Petitioner for having acquired higher education (M.Phil degree).



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For Petitioner : Mr. B.Jawahar
For Respondents : Mrs. R.Anitha,
Special Government Pleader

ORDER

Heard Mr. B.Jawahar, Learned Counsel for the Petitioner and Mrs. R.Anitha, Learned Special Government Pleader, who takes notice for the Respondents and perused the materials placed on record, apart from the pleadings of the parties.

2. Though the Writ Petition has been filed for directing the Respondents to sanction second incentive increment to the Petitioner for having acquired higher education (M.Phil. degree), Learned Counsel for the Petitioner submits that the Petitioner would be satisfied, if the representation dated 07.09.2022 made by him in that regard is directed to be disposed by the concerned authority within the time limit that may be fixed by the Court.

3. Having regard to the limited nature of relief sought, this Court without expressing any view on the correctness or entitlement of the claim made by the Petitioners, passes the following order:-



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- (i) the concerned authority shall immediately examine the representation dated 07.09.2022 made by the Petitioner including ascertaining as to whether the Petitioner would be entitled for the relief claimed;
- (ii) if it is found that any other details or supporting documents is necessary, the deficiencies in that regard shall be informed in writing to the Petitioner requiring the same to be furnished within a time frame of not less than 15 days for the same;
- (iii) in the event of not being satisfied with the requirements even thereafter, an enquiry shall be conducted affording full opportunity of personal hearing to the Petitioner and all other persons concerned to explain their position in that regard;
- (iv) a reasoned order shall be passed dealing with each of the contentions raised on merits and in accordance with law and the decision taken communicated by 31.08.2023 under written acknowledgment;
- (v) if the Petitioner is found entitled to any monetary benefits, the same shall be paid along with working-sheet showing its calculation within a period of three months from the date of passing of that order; and
- (vi) the report of such compliance shall be filed before the Registrar (Judicial) of this Court.



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In the result, the Writ Petition is disposed on the aforesaid terms. No

costs.

17.03.2023

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Index: Yes/No

Neutral Citation: Yes/No

Note: Issue order copy by 02.06.2023.

To

1. The Secretary to the Government of Tamil Nadu,
School Education Department,
Fort St.George,
Chennai – 600005.
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Tiruvallur District.
5. The Headmaster,
Government High School,
Periya Nagapoondi,
Tiruvallur District.



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Copy to

The Registrar (Judicial),
Madras High Court,
Chennai – 600 104.



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P.D. AUDIKESAVALU, J.

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