



W.A.No.1711 of 2018

THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 07.02.2023

CORAM:

THE HONOURABLE MR.JUSTICE R.SUBRAMANIAN
AND
THE HONOURABLE MRS.K.GOVINDARAJAN THILAKAVADI

W.A.No.1711 of 2018
and
C.M.P.No.13694 of 2018

1.The Government of Tamilnadu rep. By its
Secretary, School Education Department,
Fort St.George, Secretariat, Chennai – 600 009.

2.The Director of School Education,
DPI Campus, College Road,
Nungambakkam, Chennai – 600 006.

3.The Chief Educational Officer,
Dharmapuri.

4.The Headmaster, Govt. Hr.Sec.School,
Hale-Dharmapuri, Dharmapuri District.

...Appellants

Vs.

N.Murugesan

...Respondent

Prayer: Writ Appeal filed under Clause 15 of the Letters Patent against the
order dated 29.01.2014 made in W.P.No.2614 of 2014.



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For Appellants : Mr.G.Nanmaran
Special Government Pleader
For Respondent : Served – No appearance

J U D G M E N T

(Judgment of the Court was made by R.SUBRAMANIAN, J.)

The State is on appeal against the order of the Writ Court, directing grant of third set of incentive increment to the respondent.

2.The respondent, who joined as a secondary grade Teacher had obtained B.Ed., and M.Ed., qualifications, for which, he was granted two sets of incentive increments. Subsequently, he was promoted as a PG-Assistant in Chemistry on 02.02.2005. Thereafter, he acquired M.Phil., qualification in December, 2009 and sought for third set of incentive increment. The authorities rejected the request on the ground that the number of incentive increments allowed is only two during the whole period service. The Writ Court, relied upon the judgment of the Division Bench in W.A.No.426 of 2008, allowed the Writ Petition of the petitioner. Hence, this appeal.



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3.The question regarding incentive increments is no longer res-integra. The Full Bench of this Court in **Government of Tamil Nadu rep. By its Secretary, School Education Department Vs. R.Subramani** dated 29.04.2022 had held that a Teacher through out the service is entitled to only two incentive increments.

4.In the light of the above dictum of the Full Bench, this Writ Appeal has to succeed. Therefore, this Writ Appeal stands allowed and the Writ Petition stands dismissed. No costs. Consequently, connected miscellaneous petition is closed.

(R.S.M.,J.) (K.G.T.,J.)
07.02.2023

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Internet:Yes/No

Index:Yes/No

Speaking/Non-speaking order



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To:-

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