



WEB COPY



W.P.No.31007 of 2016

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 10.01.2023

CORAM

THE HONOURABLE MR.JUSTICE M.S.RAMESH

W.P.No.31007 of 2016
and W.M.P.No.26882 of 2016

M. Selvi

... Petitioner

Vs.

1. The Chief Educational Officer,
Villupuram District,
Villupuram.

2. The Headmaster,
Government Higher Secondary School,
Vellaiyur (PO),
Ullundurpet Taluk 606 107
Villupuram District

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Certiorari to call for the records relating to the impugned proceedings issued by the 1st respondent in Aa.Thi.Mu.No.5539/Aa4/16 dated 25.07.2016 and quash the same.

For Petitioner : Mr.S.Nedunchezhiyan

For Respondents : Mr.K.H. Ravikumar
Government Advocate



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ORDER

When the petitioner herein sought for selection grade scale of pay, her request came to be rejected on the ground that the incentive increment received by her for possession of Bachelor in Physical Education Degree from the Ramakrishna Mission Vivekananda University is not a valid degree. The petitioner was informed that incentive increment already received by her was required to be refunded and thereafter, her request for selection grade scale of pay would be considered. Challenging the said order, the present writ petition is filed.

2. Today, when the matter has been called, learned Government Advocate produced a copy of G.O.(Ms)No.106 School Education [SE 3(1)] Department dated 16.06.2022, in which, Equivalence Committee had declared the degree of B.P.Ed awarded by Ramakrishna Mission Vivekananda Educational and Research Institute as equivalent to one year B.P.Ed course offered by other Universities.

3. The original impugned order cannot be strictly found fault with since the Government Order came to be passed in the year 2022, recognising the



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degree obtained by the petitioner herein. Anyhow, now that the Government themselves have declared that the petitioner's degree of B.P.Ed obtained from Ramakrishna Mission Vivekananda Educational and Research Institute to be equivalent to regular B.P.Ed., there may not be any impediment on their part to process the petitioner's request for grant of selection grade scale of pay.

4. In the light of the above, the impugned order dated 25.07.2016 passed by the first respondent is quashed and the writ petition stands allowed. There shall be a direction to the respondents herein to process the petitioner's claim for grant of selection grade scale of pay on its own merits and in accordance with law. The respondents shall continue to pay the incentive increment for possessing B.P.Ed degree. No costs. Consequently, connected miscellaneous petition is closed.

10.01.2023

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Speaking/Non-speaking order

Neutral Citation: Yes/No

Index: Yes/No

Internet: Yes/No

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M.S.RAMESH,J.

SR

To

1. The Chief Educational Officer,
Villupuram District,
Villupuram.
2. The Headmaster,
Government Higher Secondary School,
Vellaiyur (PO),
Ullundurpet Taluk 6

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