



WEB COPY



W.P.No.31024 of 2016

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 10.01.2023

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THE HONOURABLE MR.JUSTICE M.S.RAMESH

W.P.No.31024 of 2016
and W.M.P.No.26888 of 2016

D.Johnson Andrew Sagayam

... Petitioner

Vs.

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

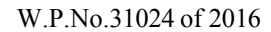
2. The Headmaster,
Government Higher Secondary School,
Vellaiyur (PO),
Ullundurpet Taluk 606 107
Villupuram District

... 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.5373/Aa4/16 dated 25.07.2016 and quash the same.

For Petitioner : Mr.S.Nedunchezhiyan

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



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

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 degree obtained by the petitioner herein. Anyhow, now that the Government



W.P.No.31024 of 2016

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

3/3

Speaking/Non-speaking order

Neutral Citation: Yes/No

Index: Yes/No

Internet: Yes/No

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W.P.No.31024 of 2016

M.S.RAMESH,J.

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To

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

W.P.No.31024 of 2016

3/3

10.01.2023