



Writ Petition No.16129 of 2023

non-compoundable increment based on All India Council for Technical Education clarification Notification dated 20/5/2020 and further direct the second respondent to consider the petitioner's reply dated 12/2/2022 for the letter of the second respondent dated 8/2/2022.

For petitioner	...	Mr.D.Veerasekaran
For respondents	...	Mr.P.Balathandayutham Special Government Pleader for R.R.1 and 2.

ORDER

This Writ Petition has been filed to direct the first respondent to consider the proposal forwarded by the second respondent relating to three non-compoundable increment based on All India Council for Technical Education clarification Notification dated 20/5/2020 and further direct the second respondent to consider the petitioner's reply, dated 12/2/2022 for the letter of the second respondent, dated 8/2/2022.

2. The case of the petitioner in a nutshell are as follows:-

The petitioner is working as a Principal of Periyar Centenary



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Polytechnic College, Vallam, Thanjavur District with a scale of pay of

Rs.16,400 – 450 – 20,900, on 6/10/2006. The eligibility for the said post is

Masters Degree in Engineering. The All India Council for Technical

Education/third respondent issued Notification relating to the incentives for

Ph.D that those who have completed Ph.D.Degree, while in service shall be

entitled to three non-compoundable increments and the same was published

in the gazette on 5/3/2010. Based on the said Notification, the Directorate

of Technical Education ordered to provide three non compoundable

increments to the petitioner for getting Ph.D in service on 24/2/2011. The

second respondent, revoking his earlier order, dated 24/2/2011, directed the

petitioner to repay the entire monetary benefits granted to the petitioner

from 3/1/2008 and recovered Rs.6,50,000/- from the salary between

December 2019 to March 2020.

3. The main grievance of the petitioner is that due to cancellation of three non-compoundable increment, her juniors, who hold the post of Head of Department are getting more salary than the petitioner. Hence, the petitioner made a requisition letter to the second respondent relating to the



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clarification based on AICTE to the second respondent based on the letter dated 20/8/2020. Thereafter, the petitioner made a representation to the Director, Directorate of Technical Education with a request to restore three non-compoundable increments order dated 24/2/2011. Since the same has not been considered so far, the petitioner has come forward with the instant writ petition praying for the relief as stated therein.

4. Heard Mr.D.Veerasekaran, learned counsel for the petitioner.

5. Mr.P.Balathandayutham, learned Special Government Pleader takes notice for the respondents 1 and 2.

6. By consent, the writ petition is taken up for final disposal.

7. The learned counsel appearing for the petitioner submitted that representation of the petitioner is pending from the year 2020.

8. The learned Special Government Pleader submits that the



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Government is going to take a policy decision, based on the Notification and it requires some more time.

9. Without going into the merits of the case, this Court is inclined to dispose of the writ petition, directing the first respondent to take a decision, on the representation submitted by the petitioner and dispose of the same, within a period of five months, from the date of receipt of a copy of this order. No costs.

24/5/2023

Index: Yes/ No

Neutral Citation: Yes/No

mvs.

B.PUGALENDHI,J



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mvs.

WEB COPY **To**

1. The Principal Secretary to Government
Higher Education (C2) Department
Secretariat
Chennai.
2. The Director
Directorate of Technical Education
Guindy

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24/5/2023