



W.P.No.17273 of 2020

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 20.10.2023

CORAM

THE HONOURABLE Ms.JUSTICE R.N.MANJULA

W.P. No.17273 of 2020
and W.M.P.No.21359 of 2020

K.R.Surendar Nath Singh

...

Petitioner

/vs/

1. The Government of Tamil Nadu,
Rep. by its Principal Secretary,
Finance (Pay cell) Department,
Fort St. George, Secretariat,
Chennai – 600 009.

2. The Directorate of School Education Department,
Rep. by its Director,
School Education Department,
DPI campus, Chennai – 600 006.

3. The Chief Education Officer,
Chennai District,
Egmore, Chennai – 600 008.

... Respondents

Writ Petition is filed under Article 226 of the Constitution of India to issue a writ of mandamus directing the first and second respondent to consider and to extend the benefits of G.O.Ms.No.321 dated 02.07.1998 whereby two additional increments were granted to Junior Assistant who



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had the degree qualification at the time of initial appointment in the light of the Government Letter No.2680/PC/2018-5 dated 19.09.2018 and other similarly orders issued by the first respondent department.

For Petitioners ... Mr.Govardhanan
For Respondents ... Mr.G.Nanmaran
Special Government Pleader

ORDER

This Writ Petition has been filed for the issuance of a Writ of Mandamus to direct the first and second respondents to consider and to extend the benefits of G.O.Ms.No.321 dated 02.07.1998 in the light of the Government Letter No.2680/PC/2018-5 dated 19.09.2018 and other similar orders issued by the first respondent department.

2. The limited representation of the petitioner is that he had joined in service on 26.04.2013; in the Tamil Nadu Public Service Memorandum dated 17.12.2012 it has been stated that the petitioner has been allotted to School Education Department and an order of appointment will be given by the appointing authority on 14.03.2013; since the petitioner got the appointment order belatedly on 25.04.2013, he had joined duty on 26.04.2013; now the petitioner claims that he is entitled to double



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increment as per G.O.321 dated 02.07.1998.

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3. However the learned Special Government Pleader submitted that the double increment incentive for higher qualification has been stopped by the Government and the benefit of incentive has been extended for those who have already been granted appointment till 01.04.2013; since the petitioner has joined duty on 26.04.2013 he was denied with special increment.

4. It is seen from the counter of the respondents that two candidates who have joined duty on 08.04.2013 and 10.04.2013 respectively and for whom letter of appointment has been issued on 05.04.2013 also given with incentives for possessing higher degree qualification. The petitioner is also similarly placed because his appointment order has also been subsequent to 01.04.2013 as that of other two candidates for whom the incentive has already been granted. Since the petitioner has also been similarly placed as that of other two persons, the respondents cannot discriminate the petitioner by not granting double increment. Hence, I feel that the petitioner



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should be granted with two additional increments as that of similarly placed persons.

5. In view of the reasons stated above, this Writ Petition is allowed and the first and second respondents are directed to extend the benefits of G.O.Ms.No.321 dated 02.07.1998 whereby two additional increments were granted to Junior Assistant who had the degree qualification at the time of initial appointment, in the light of the Government Letter No.2680/PC/2018-5 dated 19.09.2018 and other similar orders issued by the first respondent department. No costs. Connected miscellaneous petition is closed.

20.10.2023

Index: Yes / No
Speaking order / Non-speaking order
bkn



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To:

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1. Principal Secretary,
Finance (Pay cell) Department,
Fort St. George, Secretariat,
Chennai – 600 009.
2. The Directorate of School Education Department,
Rep. by its Director,
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R.N.MANJULA ,J.

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