



WEB COPY



WP.Nos.19559 & 19563 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.07.2023

CORAM

THE HONOURABLE MR. JUSTICE N.SATHISH KUIMAR

WP.No.19559 & 19563 of 2023

M.Sembai

.. Petitioner in W.P.No.19559 of 2023

M.Sundaravadivelu

.. Petitioner in W.P.No.19563 of 2023

Versus

1. The Chief Educational Officer

Cuddalore – 621 212

Cuddalore District

2.The Secretary/Correspondent

Aider Vallalar Gurukulam Higher Secondary School

Vadalur, Cuddalore District – 607 001

.. Respondents in W.P.No.19559 of 2023

1. The Chief Educational Officer

Perambalur – 621 212

Cuddalore District

2.The Headmaster

Government High School

Sengunam, Perambalur District – 621 120

.. Respondents in W.P.No.19563 of 2023

Prayer in W.P.No.19559 of 2023: Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the 1st respondent to consider the petitioners representation dated 3.04.2023 requesting for grant of incentive increment for passing M.A. Examination in the light of the orders passed in WP No. 26931 /2008 dated 21.02.2019 W.A. No. 160/ 2020 dated 5.05.2022 and SLP (Civil) No. 12662/ 2021 dated 22.09.2021 and the proceedings of the Chief Educational officer Villupuram in Na.Ka.No. 18270/ A4/ 2008 dated 25.10.2021 and pass appropriate orders



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thereon within a time limit to be fixed by this Honble Court and grant him all consequential benefits.

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Prayer in W.P.No.19563 of 2023: Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the 1st respondent to consider the petitioners representation dated 3.04.2023 requesting for grant of incentive increment for passing M.A. Examination in the light of the orders passed in WP No. 26931 /2008 dated 21.02.2019 W.A. No. 160/ 2020 dated 5.05.2022 and SLP (Civil) No. 12662/ 2021 dated 22.09.2021 and the proceedings of the Chief Educational officer Villupuram in Na.Ka.No. 18270/ A4/ 2008 dated 25.10.2021 and pass appropriate orders thereon within a time limit to be fixed by this Honble Court and grant him all consequential benefits.

In both petitions

For Petitioners : Mr.P.Rajendran
For Respondents : Mr.E.Veda Bhagath Singh for R1
Special Government Pleader

ORDER

These writ petitions have been filed seeking for a direction to directing the 1st respondent to consider the petitioners' representation dated 03.04.2023 and 28.03.2023 requesting for grant of incentive increment for passing M.A. Examination in the light of the orders passed in WP No. 26931/2008 dated 21.02.2019, W.A. No.160/2020 dated 5.05.2022 and SLP (Civil)No. 12662/ 2021 dated 22.09.2021 and the proceedings of the Chief Educational officer, Villupuram in Na.Ka.No. 18270/A4/2008 dated 25.10.2021 and grant them all consequential benefits.



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2. It is the contention of the learned counsel for the petitioners that similarly situated persons in the above Orders were granted such incentive increment for passing M.A. Degree Examination and thus, according to him, the petitioners are entitled from 2007 and 2013 respectively. The petitioner in W.P.No.19559 of 2023 is retired from the service during the year 2011.

3. This Court is of the view that the petitioners were fence sitters and they were just watching the proceedings. Even, they have not made any genuine efforts and were watching the other's right. Once the right has been decided, they have filed the application seeking for such incentive increment that too after an exorbitant delay of a decade which would clearly show that it is nothing but a latches on their part. Therefore, this Court is not inclined to pass any order.

4. Accordingly, these writ petitions are dismissed. No costs.

04.07.2023

dhk

Index:Yes/No

Internet: Yes/No

Neutral Citation:Yes/No



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N.SATHISH KUMAR, J.

dhk

To

1. The Chief Educational Officer
Cuddalore – 621 212
Cuddalore District

2. The Chief Educational Officer
Perambalur – 607 001

W.P.No.19559 & 19563 of 2023

04.07.2023