



WEB COPY



W.P.No.23983 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 14.08.2023

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THE HONOURABLE MR.JUSTICE N.SATHISH KUMAR

W.P.No.23983 of 2023

R.Daisy Rani, M.Com, M.Ed,
Vocational Instructor (Accountancy & Auditing),
Vallal S.I.Azhagar Sami Chettiyar Higher Secondary School,
Royapuram, Chennai-17. ... Petitioner

Versus

- 1.The Director of School Education,
College Road, Chennai-6.
- 2.The Chief Educational Officer,
Chennai District.
- 3.The District Educational Officer,
Chennai East, Chennai-5.
- 4.The Secretary,
Vallal S.I.Azhagar Sami Chettiyar Higher Secondary School,
Royapuram, Chennai-17. ... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, to issue orders, directions or writs in particular a Writ of Mandamus, directing the 4th respondent to submit the proposal for sanctioning of incentive increment for petitioner for acquiring higher qualification of M.Com and M.Ed, to the respondent 2 and 3, on the basis representations dated 12.06.2019, 29.04.2022, 31.05.2022 and 24.01.2023 and thereby direct the respondents 2 and 3, to sanction the incentive increment to the petitioner for acquiring higher qualifications, in the light of the order passed in R.Premkumari v. State of Tamil Nadu rep by its Secretary to Government, reported in 2008, 5 MLJ pg. 1349.



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For Petitioner : Mr.S.N.Ravichandran
For R1 to R3 : Mr.V.Jeevagiridharan,
Additional Government Pleader

ORDER

This Writ Petition has been filed to direct the 4th respondent to submit the proposal for sanctioning of incentive increment for petitioner for acquiring higher qualification of M.Com and M.Ed, to the respondent 2 and 3, on the basis representations, dated 12.06.2019, 29.04.2022, 31.05.2022 and 24.01.2023 and thereby direct the respondents 2 and 3, to sanction the incentive increment to the petitioner for acquiring higher qualifications, in the light of the order passed in “***R.Premkumari v. State of Tamil Nadu rep by its Secretary to Government*** reported in ***2008 5 MLJ pg. 1349***”.

2.The case of the Writ Petitioner is that she was appointed as Vocational Instructor (Single Part Time Instructor Grade II) on consolidated pay of Rs.700/- per month on 22.07.1991 in the 4th respondent school. Thereafter, through correspondence, the petitioner acquired higher qualifications of M.Com., in the month of May 1994, B.Ed., in the month of May 1995 and M.Ed., in the month of May 1997. Subsequently, the petitioner has been given appointment to the post of Full Time Vocational Instructor Grade II in the 4th respondent school as per G.O.(Ms)No.74, dated



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10.06.2002. Now, the grievance of the Writ Petitioner is that since she has completed higher qualifications of M.Com and M.Ed., she is entitled for two sets of incentive increments. In this regard, a representation was given on 12.06.2019 to the 4th respondent, however, the same has not been considered. On the other hand, one Umapathy who claimed similar relief as that of the petitioner, was sanctioned incentive increments by the 4th respondent school immediately. In such circumstances, again the petitioner has made representations on three occasions on 29.04.2022, 31.05.2022 and 24.01.2023, but the same have also not considered by the 4th respondent so far.

3.Heard the submissions of the learned counsel for the petitioner and the learned Additional Government Pleader appearing for the respondents 1 to 3.

4.Considering the limited relief sought for in this Writ Petition, there shall be a direction to the 4th respondent to consider the representations of the petitioner, dated 12.06.2019, 29.04.2022, 31.05.2022 and 24.01.2023 and pass orders on merits and in accordance with law,



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within a period of two months, from the date of receipt of a copy of this order.

5.With the above direction, this Writ Petition is disposed of. No costs.

14.08.2023

Index : Yes/No
Internet: Yes/No
Neutral Citation: Yes/No
Speaking Order/Non-Speaking Order

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To

- 1.The Director of School Education,
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- 2.The Chief Educational Officer,
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