



W.P.(MD)No.1846 of 2020

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 05.01.2023

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.(MD)No.1846 of 2020

and

W.M.P(MD)No.1562 of 2020

S.Kulanthaisamy

... Petitioner

Vs.

1.The Chief Educational Officer,
Ramanathapuram.

2.The District Educational Officer,
Mandapam @ Ramanathapuram,
Ramanathapuram District.

3.The Correspondent,
St. Joseph Higher Secondary School,
Verkodu, Rameswaram,
Ramanathapuram District.

... Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India, praying for issuance of Writ of Certiorarified Mandamus, calling for the records pertaining to the order passed by the 2nd respondent in his proceedings in O.Mu.No.0245/A3/2019 dated 28.05.2019 and quash the same and direct the respondents to grant incentive increment to the



W.P.(MD)No.1846 of 2020

petitioner for B.Ed., and M.A qualification.

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For Petitioner : Mr.V.Panneer Selvam
For R1 and R2 : Mr.S.Saji Bino
Special Government Pleader

ORDER

This writ petition has been filed challenging the impugned order passed by the 2nd respondent dated 28.05.2019 and to quash the same and consequently direct the respondents to grant incentive increment to the petitioner for B.Ed., and M.A., qualification.

2. The case of the petitioner is that he was appointed as Secondary Grade Teacher in St. Antony High School, Pettai, Tirunelveli District in the year 2004. Thereafter, after obtaining permission from the Management, he has studied B.Lit., B.Ed., and M.A., and obtained degrees. As per the Scheme, for the higher qualification of B.Ed., he is entitled to get one set of incentive increment and for M.A., he is entitled to get second set of incentive increment. Hence, he has made a request to grant incentive



W.P.(MD)No.1846 of 2020

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increment in the year 2012 itself. But the same was rejected by the second respondent on 28.05.2019, on the ground that without prior permission, he has obtained B.Lit., degree. Challenging the same, the present writ petition has been filed.

3. The learned counsel appearing for the petitioner would submit that this Court may issue a direction to the third respondent to forward the fresh proposal of the petitioner to the second respondent to pass appropriate orders within a reasonable time as fixed by this Court.

4. Heard the learned counsel for the petitioner and the learned Special Government Pleader appearing for the respondents 1 and 2.

5. Considering the limited request made by the learned counsel for the petitioner, this Court directs the third respondent to forward the fresh proposal of the petitioner to the second respondent, for the purpose of increment for acquiring higher qualifications by the petitioner within a period of two weeks from the date of receipt of a copy of this order and on



W.P.(MD)No.1846 of 2020

receipt of the same, the second respondent is directed to pass appropriate orders, on merits and in accordance with law, within a period of four weeks thereafter.

6. With the above directions, this Writ Petition is disposed of. No costs. Consequently, the connected Miscellaneous Petition is closed.

05.01.2023

NCC : Yes/No
Index : Yes / No
Speaking Order : Yes / No
akv



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W.P.(MD)No.1846 of 2020

To

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Ramanathapuram.
- 2.The District Educational Officer,
Mandapam @ Ramanathapuram,
Ramanathapuram District.



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W.P.(MD)No.1846 of 2020

M.DHANDAPANI,J.

akv

W.P.(MD)No.1846 of 2020

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