



W.A.(MD) No.1811 of 2021

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: **23.11.2023**

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THE HONOURABLE **MR.JUSTICE S.M.SUBRAMANIAM**
AND
THE HONOURABLE **MR.JUSTICE V.LAKSHMINARAYANAN**

W.A.(MD) No.1811 of 2021

P.Karuppannan

... Appellant/Writ Petitioner

-Vs.-

1. Chief Educational Officer,
Virudhunagar.

2. District Educational Officer,
Aruppukottai,
Virudhunagar,
Virudhunagar District.

3. Correspondent,
MNMSPS Higher Secondary School,
Mallankinar – 626 109.
Virudhunagar District.

... Respondents/Respondents

PRAYER:- Writ Appeal filed under Clause 15 of Letters Patent Act, to set aside the order dated 02.02.2021 made in W.P.(MD)No.189 of 2011 on the file of this Court.

For Appellant : Mr.R.Venkatesan



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For Respondents : Mr.D.Sadiq Raja
Additional Government Pleader
For R1 & R2

J U D G M E N T

(Judgment of the Court was delivered by **S.M.SUBRAMANIAM, J.**)

The claim of the appellant / writ petitioner, seeking fourth incentive increment for acquiring the additional education qualification is under challenge in the Writ Petition.

2. The appellant, admittedly, was granted two increments for possessing the educational qualification of B.Ed., and M.A. As per the Scheme of Incentive Increment by the education department, a teacher is eligible to avail two incentive increments in the entire service. Even the third incentive increment is not permissible. However, the petitioner could able to get the third incentive increment by the intervention of Court order and he is receiving the third incentive increment. Thus, the subsequent application filed seeking fourth incentive increment for possessing the qualification of Ph.D. is beyond the scope of Scheme of Incentive Increment in force. Incentive increments are granted on certain conditions as a concession, which cannot be expanded by a Writ Court.



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The petitioner has already attained the age of superannuation and retired from service.

3. Thus, the order of the Writ Court stands confirmed and the Writ Appeal is dismissed. No costs.

[S.M.S.J.] & [V.L.N.J.]
23.11.2023

NCC :Yes/No
Index :Yes/No
SJ

To

1. The Chief Educational Officer,
Virudhunagar.
2. The District Educational Officer,
Aruppukottai,
Virudhunagar,
Virudhunagar District.



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SJ

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