



WEB COPY



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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **26.09.2023**

CORAM:

**THE HONOURABLE MR.JUSTICE S.S.SUNDAR
AND
THE HONOURABLE MR.JUSTICE D.BHARATHA CHAKRVARTHY**

**W.A(MD)NOs.1283 and 1286 OF 2022
and
C.M.P(MD)Nos.9967 and 9976 of 2022**

1.The Joint Director of School Education,
(Higher Secondary),
College Road,
Chennai -6.

2.The Chief Educational Officer,
Thanjavur,
Thanjavur District.

3.The District Educational Officer,
Thanjavur,
Thanjavur District.

:Appellant/Respondents 1 to 3
in both Writ Appeals

.vs.

1.R.Meenakshi

:Ist Respondent/Writ Petitioner
in W.A(MD)No.1283 of 2022

2.R.Mala

:Ist Respondent/Writ Petitioner's
in W.A(MD)No.1286 of 2022

3.The Secretary,
Kalyana Sundaram Higher Secondary School,
Thanjavur – 613 009,
Thanjavur District.

:2nd Respondent/4th Respondent
in both W.As'



COMMON PRAYER: Writ Appeals filed under Clause 15 of the Letters Patent praying this Court to set aside the orders passed by this Court in W.P(MD)Nos.14010 and 14017 of 2021, dated 09.06.2022.

For Appellants
in both W.As'

:Mr.D.Sadiq Raja
Addl.Govt.Pleader

For Respondent-1
in both W.As'

:Mr.T.Ponramkumar

COMMON JUDGMENT

[Judgment of the Court was made by **S.S.SUNDAR,J.**]

These Writ Appeals are filed challenging the order of the learned Single Judge made in W.P(MD)Nos.14010 and 14017 of 2021, dated 09.06.2022.

2.Heard the learned counsel appearing on either side and perused the materials placed before this Court.

3.The learned Additional Government Pleader appearing for the appellants as well as the learned counsel appearing for the first respondent/contesting respondent have agreed that the Writ Petitioners/teachers are entitled to only one increment and that the order of the learned Single Judge granting two additional increments cannot stand. Further, it is admitted that the teachers/Writ



Petitioners are entitled to incentive increments for having acquired M.A degree. However, the learned counsel for the first respondent/teachers also admitted that the Petitioners have been granted additional increment for acquiring B.Ed qualification in the same order.

4.In W.A(MD)No.1283 of 2022, the learned counsel for the first respondent/teacher submitted that the Writ Petitioner was granted incentive increment for acquiring M.A decree alone. Therefore the order of the learned Single Judge has to be modified to enable the Writ Petitioner to get incentive increment for the higher qualification namely, M.A degree w.e.f. December 2014.

5.The request of the learned counsel for the Writ Petitioner/first respondent/teacher is also conceded by the learned Additional Government Pleader appearing for the appellants. Therefore by consent of both parties, the order of the learned Single Judge impugned in these Writ Appeals are modified and the Writ Appeals are allowed in the following lines:

(1)W.A(MD)No.1286 of 2022 is allowed and the order of the learned Single Judge is modified by directing the appellants to pay



one incentive increment to the first respondent/Writ Petitioner for having M.A Degree w.e.f.2003 for acquiring higher qualification from the date of acquiring B.Ed decree.

(2)W.A(MD)No.1283 of 2022 is allowed and the order of the learned Single Judge is modified to the effect that the first respondent/Writ Petitioner is entitled to one incentive increment for M.A decree from the date of acquiring B.Ed degree (from the month of December 2014).

Consequently, connected Miscellaneous Petitions are closed. No costs.

[S.S.S.R.,J.] [D.B.C.,J.]
26.09.2023

Index:Yes/No
Internet:Yes/No
NCC:Yes/No
vsn



S.S.SUNDAR, J.

AND

D.BHARATHA CHAKRAVARTHY, J.

vsn

**COMMON JUDGMENT MADE IN
W.A(MD)NOs.1283 and 1286 OF 2023
and
C.M.P(MD)Nos.9967 and 9976 of 2023**

26.09.2023