



W.P.(MD).No.4701 of 2016

THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 15.02.2023

CORAM

THE HONOURABLE MRS.JUSTICE S.SRIMATHY

W.P.(MD).No.4701 of 2016

and

W.M.P.(MD).No.4241 of 2016

S.Vincent Paulraj

... Petitioner

Vs.

1.The Director of School Education,
Chennai – 6.

2.The District Educational Officer,
Paramakudi,
Ramanathapuram District.

3.The Correspondent,
Sacred Heart Higher Secondary School,
Thiruvarangam,
Ramanathapuram District.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus, to call for the records pertaining to the order passed by the second respondent in his proceedings in A.Thi.Mu.No.5288/A4/2015 dated 04.11.2015 and quash the same and direct the respondents to sanction one set of incentive increment for M.Ed., to the petitioner and confer all the consequential benefits.



W.P.(MD).No.4701 of 2016

For Petitioner : Mr.V.Panneer Selvam

For R-1 and R-2 : Mr.D.Sadiq Raja,
Additional Government Pleader.

ORDER

The learned counsel appearing for the petitioner submitted that the petitioner in this Writ Petition is seeking third incentive increment.

2. A Government employee is entitled to only two incentive increments (two + two i.e. four sets of increments) in their entire service as per G.O.Ms.No.1024 Education, Science and Technology Department, dated 09.12.1993 and the relevant portion is extracted hereunder:

3) Government now issue the following amendments to the G.O. First and third above.

(1) In the Annexure to G.O.Ms.No.42, Education dated 10.01.1969, for paragraph (ii) the following paragraph shall be substituted, namely:-

(ii) A Secondary Grade Teacher who has passed B.T. or B.Ed., degree examination and obtained two advance increments shall be eligible for another two advance increments for passing M.A., M.Sc., or M.Ed., degree while working either in the Secondary Grade post or in B.T./B.Ed., Assistant post. A B.T. Teacher who after passing M.A., or M.Sc., and obtained two advance increments shall be eligible for another two advance increments if qualified M.Ed., Degree while working in B.T. Assistant Post or Headmaster post.



WEB COPY



W.P.(MD).No.4701 of 2016

(ii)a) The maximum number of advance increments which a Teacher can get under the Scheme of incentive increments under this Government Order shall be four in his entire service.

(2) In G.O.Ms.No.746, Education, dated 30.06.1989, for paragraph 4, the following paragraph shall be substituted, namely:-

(3) The Government have considered the orders of the High Court referred to in para 3 above and the request of Thiru. V.Asirvatham to allow two more advance increments to him for acquiring M.Ed., qualification.

4. These orders shall take effect from the date of issue.

The petitioner had already received two incentive increments and since the petitioner is seeking third incentive increment, the claim of the petitioner cannot be entertained.

3. Hence, this Writ Petition is dismissed. There shall be no order as to costs. Consequently, connected miscellaneous petition stands closed.

15.02.2023

NCC : Yes/No
Index : Yes / No
Internet : Yes/ No
Nsr



W.P.(MD).No.4701 of 2016

To
WEB COPY

- 1.The Director of School Education,
Chennai – 6.
- 2.The District Educational Officer,
Paramakudi,
Ramanathapuram District.



WEB COPY



W.P.(MD).No.4701 of 2016

S.SRIMATHY, J.

Nsr

W.P.(MD).No.4701 of 2016

15.02.2023