



W.P.No.942 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.01.2024

CORAM:

THE HONOURABLE MR. JUSTICE **G.K.ILANTHIRAIYAN**

W.P.No.942 of 2024

S.Anthoniammal

...Petitioner

-Vs-

- 1.The State of Tamil Nadu,
Represented by its Principal Secretary to Government,
School Education Department,
Fort St.George, Secretariat,
Chennai – 600 009.
- 2.The Director of Elementary Education,
DPI Campus, College Road,
Chennai – 600 006.
- 3.The District Educational Officer (Elementary),
Kallakurichi District,
Kallakurichi.
- 4.The Block Educational Officer,
Thirukovilur Block,
Kallakurichi District.
- 5.The Manager,
R.C.Primary and Middle School,
(Cuddalore and Villupuram District),
Cuddalore – 607 001.



W.P.No.942 of 2024

6.The Correspondent,
R.C.Government Aided Middle School,
Memalur, Thirkovilur,
Kallakurichi District.

... Respondents

Prayer : Writ Petition filed under Article 226 of Constitution of India praying for the issuance of a Writ of Mandamus, directing the respondent - 4 to sanction incentive increment to the petitioner in the post of Secondary Grade Teacher for acquiring M.A., (Tamil) degree qualification with effect from 09.01.2019 in accordance with the sanction order issued by the 4th respondent vide proceedings in Na.Ka.No.659/A3/2020 dated 21.09.2020 by accepting the bill for the same, without reference to G.O.Ms.No.37, Personnel & Administrative Reforms (FR-IV) Department dated 10.03.2020 or any subsequent Government Orders, along with interest for delay in payment of incentive increment till date of payment in consideration of representation submitted by the petitioner dated 29.04.2022 and 11.01.2023, within a time frame.

For Petitioner : Mr.S.Nedunchezhiyan

For R1 to R4 : Mr.A.M.Ayyadurai
Government Advocate

ORDER

This writ petition has been filed for direction directing the respondent - 4 to sanction incentive increment to the petitioner in the post of Secondary Grade Teacher for acquiring M.A., (Tamil) degree qualification with effect from 09.01.2019 in accordance with the sanction order issued by the 4th respondent



W.P.No.942 of 2024

vide proceedings in Na.Ka.No.659/A3/2020 dated 21.09.2020 by accepting the bill for the same, without reference to G.O.Ms.No.37, Personnel & Administrative Reforms (FR-IV) Department dated 10.03.2020 or any subsequent Government Orders, along with interest for delay in payment of incentive increment till date of payment in consideration of representation submitted by the petitioner dated 29.04.2022 and 11.01.2023, within a time frame.

2. Heard the learned counsel appearing for the petitioner and the learned Government Advocate appearing for the respondents 1 to 4 and perused the materials available on record.

3. The petitioner was appointed as Secondary Grade Teacher in Government Aided School. His appointment was duly approved by the authorities. While she was in service, she had acquired B.A., (Tamil) degree, in the year 2014 and thereafter acquired B.Ed., degree, on 28.12.2016, for which she was granted incentive increment with effect from 29.12.2016. Subsequently, she had also acquired M.A., (Tamil) degree on 08.01.2019. Hence, she had requested for incentive increment with effect from 09.01.2019.



W.P.No.942 of 2024

4. The request made by the petitioner was forwarded by the fifth respondent by its proceedings dated 01.08.2020, to the fourth respondent. On receipt of the same, the fourth respondent, by its proceedings dated 21.09.2020, sanctioned the incentive increment. Thereafter, it is pending on the file of the third respondent.

5. Considering the above facts and circumstances of the case, the third respondent is directed to pass orders, on merits and in accordance with law as forwarded and recommended by the fourth respondent, within a period of twelve weeks from the date of receipt of a copy of this order.

6. With the above directions, this writ petition is disposed of. There shall be no order as to costs.

18.01.2024

Internet: Yes

Index : Yes/No

Speaking/Non Speaking order

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W.P.No.942 of 2024

WEB COPY

- To
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W.P.No.942 of 2024

G.K.ILANTHIRAIYAN. J.

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W.P.No.942 of 2024

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