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W.P.No.16394 of 2015

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 13.06.2024

CORAM

THE HONOURABLE Ms. JUSTICE P.T. ASHA

W.P.No.16394 of 2015

A.Selvam

... Petitioner

Vs.

1.Government of Tamil Nadu

Rep. by its Secretary,
Adi Dravidar Welfare Department,
Fort St. George, Chennai-9.

2.The Director of Adi Dravidar Welfare Department,
Chepauk, Chennai-5.

3.The Headmaster

Government Adi Dravidar Welfare Hr. Secondary School,
Kurai, Ranipet-632 401,
Vellore District.

...Respondents

Prayer:- Writ petition filed under Article 226 of the Constitution of India praying for issuance of a writ of Certiorarified Mandamus Calling for the entire records which culminated in issuing the order in Letter No.61/2014 dated 18.6.2014 on the file of the third respondent quash the same and consequently direct the respondents to sanction one set of incentive increment to the petitioner for having acquired higher qualification namely M.Phil in Mathematics by extending the benefits of G.O.(D) No.209, Education Department dated 08.07.2010 with all consequential benefits.



For Petitioner : M/s.S.Mani

For Respondents : M/s.V.Jeevagiridharan, AGP
[for R1 to R3]

ORDER

The above Writ Petition has been filed to call for the entire records which culminated in issuing the order in Letter No.61/2014 dated 18.06.2014 on the file of the third respondent quash the same and consequently direct the respondents to sanction one set of incentive increment to the petitioner for having acquired higher qualification, namely, M.Phil in Mathematics by extending the benefits of G.O.(D) No.209, Education Department dated 08.07.2010 with all consequential benefits.

2. Today, the matter has been posted under the caption '*for clarification*' since a copy of the order passed by this Court which covers the instant writ petition had not been produced before this Court. Today, the said order copy has been produced and the matter is clarified.

3. The issue involved in the instant writ petition has already been covered by the order of this Court in W.P.Nos.43155 to 43157 of 2016, wherein the learned Single Judge had observed as follows:-

"5. Having regard to the above, now, it is made



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clear that the Teachers including the writ petitioners, who acquired higher qualifications, can be granted with two incentive increments equivalent to four advance increments, during the entire tenure of their service. Thus, the respondents are bound to follow the Government order referred to in the Judgement as well as the above said decision of the Hon'ble Division Bench, for the purpose of grant of the incentive increments to the writ petitioner.

6.In this view of the matter if already two incentive increments are granted, the writ petitioners are not entitled for further two incentive increments in his service, as per the Government order and as per the Hon'ble Division Bench. It is made clear that if any excess payment was paid, it is left open to the authorities to recover the same in accordance with law."

4. In the light of the above order, the Writ Petition stands dismissed.

No costs.

13.06.2024

(shr)

Index : Yes/No

Speaking Order: Yes/No

Neutral Citation : Yes/No



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To

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P.T. ASHA. J.,

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