



W.P.No.20115 of 2011

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :15.07.2024

CORAM

THE HONOURABLE Mrs. JUSTICE R.KALAIMATHI

W.P.No.20115 of 2011

V.Vedhanantham

...Petitioner

vs.

1. State of Tamil Nadu
represented by its Secretary to Government,
School Education Department,
Chennai – 2

2. The Director of School Education,
College Road,
Chennai – 6

3. The Chief Educational Officer,
Dharmapuri.

4. The Head Master,
Government Higher Secondary School,
Papireddipatti PO & Taluk,
Dharmapuri District.

5. The Head Master,
Government Higher Secondary School,
Kalipettai Post,
Papireddipatti Taluk,
Dharmapuri District – 606 905

... Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India, for issuance of a Writ of Certiorarified Mandamus, calling for the



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records relating to G.O.No.240 dated 18.08.2010 of the first respondent in so far as the petitioner is concerned, quash the same and consequently for a direction, directing the respondents to pay two incentive increments to the petitioner from the date of regularization i.e.01.04.1990.

For Petitioner : Mr.R.Saravanakumar
For Respondents : Mr.T.M.Rajangam
Government Advocate

ORDER

G.O.Ms.No.240 dated 18.08.2010 of the first respondents is under challenge.

2. Heard Mr.R.Saravanakumar, learned counsel for the petitioner and Mr.T.M.Rajangam, learned Government Advocate appearing for the respondents.

3. The petitioner submits that he was appointed as a Vocational Instructor on 16.11.1978 and the petitioner possesses M.Com. and M.Ed. Degrees. The petitioner was taking vocational subjects-Accountancy and Auditing in the vocational stream of Higher Secondary Education. The petitioner was brought on time scale of pay with effect from 01.04.1990 as per G.O.No.712 dated 28.05.1990. The petitioner was promoted as Post



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Graduate Assistant (Commerce) with effect from 01.08.2010 and he was working in the Government Higher Secondary School, Kalipettai Post, Dharmapuri District.

4. The petitioner along with other three persons had filed writ petitions No.6273 to 6276 of 2005 and prayer in the said writ petitions was to issue a Writ of Mandamus, directing the respondents to pay incentive increments to the petitioners with effect from the date of regular time scale of pay (from 01.04.1990) and an Order was passed on 02.12.2008 directing to sanction eligible incentive increments to the petitioners in respect of higher qualifications.

5. The learned counsel for the petitioner would submit that Contempt Petition No.1438 of 2009 was filed in pursuance to the Order passed in the above said writ petition and in the said petition, wherein liberty is given to question the G.O.Ms.No.240 dated 18.08.2010.

6. As per G.O.No.240 dated 18.08.2010, the vocational teachers also eligible to be paid the incentive increments for having acquired higher qualifications from the date of issuance of G.O.



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7. As the incentive increment is a concession granted to the government servants and it has to be sanctioned only based on the relevant rules as per the said G.O.

8. Mr.T.M.Rajangam, learned Government Advocate would submit that the petitioner has already been paid the incentive increments as per the G.O. already cited for the requisite period.

9. Based on the aforesaid discussions and observations, this writ petition is dismissed. There is no order as to costs. Consequently, connected miscellaneous petition, if any stands closed.

15.07.2024

Index : Yes/No
Internet : Yes/No
Speaking Order/Non-Speaking Order
Neutral Citation Case : Yes/No

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R.KALAIMATHI, J.

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