



W.P.No.4426 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23.02.2024

CORAM:

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

W.P.No.4426 of 2024

and

W.M.P.Nos.4775 and 4776 of 2024

1. G.Devikanna
2. G.Bhavani
3. M.Janaki
4. T.Sutha
5. R.Bhuvana
6. R.Parvathi
7. G.Mangaiyarkkarasi
8. N.Tamil Selvi
9. N.Lakshmi Ammal
10. E.Sangamithirai
11. A.Kosalai
12. K.Yoganayagi
13. N.Kanniyappan
14. M.Vimala
15. M.Petritia Sophy
16. S.Elangovan
17. K.Jayaraman
18. S.Ezhillarasi
19. O.Kavitha
20. D.Senthilkumar
21. R.R.Balaji
22. S.Rajalingam
23. A.Alfeya
24. V.Muruganandam
25. Indra Priya
26. V.Manikandan
27. V.Kalaivanan



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28. A.Anandh
29. S.Santhi
30. K.Suresh
31. G.Kesavan
32. A.Shenaz Parveen
33. N.Uma
34. S.Isaivani
35. K.Jayapandi
36. D.Poongodi
37. A.Anitha
38. C.Mehala
39. S.Umadevi
40. D.Vairamuthu
41. R.Sanjay Gandhi
42. S.Sudhakar
43. R.Dhanaprabha
44. K.Roobani
45. B.Abinaya
46. A.Elayaraja
47. G.Arumugam
48. D.Manikandan
49. L.Austin
50. T.Ganesan
51. G.Jayanthi
52. D.Paramasivam
53. C.Bhuvaneswari
54. S.Lakshmanan

...Petitioners

-Vs-

1. The State of Tamilnadu,
Represented by its Chief Secretary to Government,
Human Resources Management (FR.IV) Department,
Fort. St. George,
Chennai-600 009.

2. The State of Tamilnadu
Represented by its Secretary to Government,
Personnel and Administrative Reforms Department,



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Fort. St.George,
Chennai-600 009.

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3. The Director,
Tamilnadu Government Audit Department,
No.571, Officers Building,
Veterinary Hospital Campus,
4th Floor, Anna Salai,
Nandanam, Chennai-600 035.

4. The Joint Director (Personnel)
School Education Department,
DPI Complex, College Road,
Chennai – 600 006.

...Respondents

Prayer : Writ Petition filed under Article 226 of Constitution of India praying for the issuance of a Writ of Certiorarified Mandamus, calling for the records of the first respondent in G.O.Ms.No.95, Human Resources Management (FR-IV) Department, dated 26.10.2023 and quash the same in so far as the said government order has in Paras 7 and 8 made an unreasonable classification violative of Article 14 of the Constitution between claims for additional incentive for having acquired the additional qualification prior to 10.03.2023 which are pending or not made as on 10.03.2020 being the date of G.O.Ms.No.37, Personnel and Administrative Reforms (FR-IV) Department and claims for additional incentive which have already been processed and sanctioned prior to 10.03.2020 will be continued to receive incentive in the salary and consequently direct the first respondent to grant the 1st or 2nd incentive, as the case may be, for the petitioners who have acquired additional qualification prior to 10.03.2020 and eligible for sanction of increment in their salary.

For Petitioners : M/s C.Uma

For R1 to R3 : Mrs.R.L.Karthika



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Government Advocate

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For R4

: Mrs.S.Mythereya Chandru
Special Government Pleader

ORDER

This writ petition has been filed calling for the records of the first respondent in G.O.Ms.No.95, Human Resources Management (FR-IV) Department, dated 26.10.2023 and quash the same in so far as the said government order has in Paras 7 and 8 made an unreasonable classification violative of Article 14 of the Constitution between claims for additional incentive for having acquired the additional qualification prior to 10.03.2023 which are pending or not made as on 10.03.2020 being the date of G.O.Ms.No.37, Personnel and Administrative Reforms (FR-IV) Department and claims for additional incentive which have already been processed and sanctioned prior to 10.03.2020 will be continued to receive incentive in the salary and consequently direct the first respondent to grant the 1st or 2nd incentive, as the case may be, for the petitioners who have acquired additional qualification prior to 10.03.2020 and eligible for sanction of increment in their salary.

2. Heard the learned counsel on either side and perused the materials



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available on record.

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3. This Court had already dealt with a similar issue in WP.Nos.1605 of 2023 and batch and this Court, by an order dated 29.01.2024, dismissed the writ petitions.

4. Therefore, in the light of the order passed by this Court in WP.Nos.1605 of 2023 and batch, dated 29.01.2024, this writ petition is dismissed. Consequently, connected Miscellaneous petitions are closed. There shall be no order as to costs.

23.02.2024
($\frac{1}{2}$)

Internet: Yes
Index : Yes/No
Speaking/Non Speaking order
mn



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G.K.ILANTHIRAIYAN. J.

mn

To

1. The Chief Secretary to Government,
The State of Tamilnadu,
Human Resources Management (FR.IV) Department,
Fort. St. George,
Chennai-600 009.
2. The Secretary to Government,
The State of Tamilnadu
Personnel and Administrative Reforms Department,
Fort. St.George,
Chennai-600 009.
3. The Director,
Tamilnadu Government Audit Department,
No.571, Officers Building,
Veterinary Hospital Campus,
4th Floor, Anna Salai,
Nandanam, Chennai-600 035.
4. The Joint Director (Personnel)
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