



W.P.No.6993 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 19.03.2024

CORAM:

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

W.P.No.6993 of 2024

and

W.M.P.Nos.7800 & 7801 of 2024

- 1.P.M.Mala
- 2.G.Immaculate Ramya
- 3.C.Vennila
- 4.S.Kavitha
- 5.V.Sekar
- 6.V.Akila
- 7.G.Arul Paulin Rubela
- 8.C.Sankar
- 9.C.Thilakan
- 10.J.Francis Ferdinand
- 11.A.Johnson
- 12.X.M.A.Fredrick
- 13.A.Mathew
- 14.P.Mezhi Selvam
- 15.S.Velayuthamoorthy
- 16.P.Anandhan
- 17.I.Maria Zeetta Loratta
- 18.G.Shanmugavalli
- 19.V.Selvaraj
- 20.P.Muthumuniasamy
- 21.M.Balaji
- 22.J.Thangamathi
- 23.M.Adhiyaman
- 24.G.Sakthi
- 25.S.Renukadevi
- 26.J.Sujatha



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27.P.Lakshmi
28.S.Manivannan
29.A.Jeyalakshmi
30.V.Alangaram
31.U.Kalyana Sundari
32.G.Ramachandran
33.G.Santhalakshmi
34.A.Girija
35.V.Sudha
36.J.Sivagami
37.A.Elavarasi
38.P.Chitra
39.A.D.Jayanthi
40.R.Balasaraswathi
41.M.R.Rathika
42.G.Sadesh
43.K.Saravanan
44.D.Gandheeswari
45.N.Chitra
46.P.Sudha
47.C.Annamalai
48.P.Gunarathinam
49.N.Gomathi
50.P.Chitra
51.C.Roshna
52.S.Chithra
53.G.Josephine Pamela
54.V.Renuka
55.P.Saritha
56.A.Sumathi
57.K.Vembu

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Petitioners

Vs

1. The State of Tamil Nadu,
Rep. by its Chief Secretary to Government,
Human Resources Management (FR.IV) Department,
Fort St.George, Chennai – 600 009.



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2. The State of Tamil Nadu,
Rep. by its Secretary to Government,
Personnel and Administrative Reforms Department,
Fort St.George, Chennai – 600 009.

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

4. The Director of School Education,
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-VI) 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 are eligible for sanction of increment in their salary.



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For Petitioners : Mrs.Nalini Chidambaram
Senior Counsel
for M/s.C.Uma
For R1 & R2 : Mr.V.Veluchamy
Additional Government Pleader
For R3 : 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-VI) 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.



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

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.

19.03.2024
(2/2)

Internet: Yes
Index : Yes/No
Speaking/Non Speaking order
Neutral Citation : Yes/No

Lpp

To

1. The Chief Secretary to Government,
Human Resources Management (FR.IV) Department,
Fort St.George, Chennai – 600 009.



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G.K.ILANTHIRAIYAN. J.

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2. The Secretary to Government,
Personnel and Administrative Reforms Department,
Fort St.George, Chennai – 600 009.

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

4. The Director of School Education,
DPI Complex, College Road,
Chennai – 600 006.

W.P.No.6993 of 2024
and

W.M.P.Nos.7822 & 7825 of 2024

19.03.2024
(2/2)