



W.P.No.7007 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.7007 of 2024

and

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

- 1.M.Punithavathi
- 2.R.Karthiga
- 3.J.Suguna
- 4.R.Rajasekar
- 5.K.Rajalakshmi
- 6.N.Brindha
- 7.G.Raja
- 8.A.Julia
- 9.B.Usha Anandhi
- 10.K.Balaji
- 11.G.Shakila
- 12.K.Prasanna
- 13.J.Alamelu
- 14.D.Kalayarasi
- 15.K.R.Jayanthi
- 16.V.Sasipriya
- 17.S.Paulvannan
- 18.S.Jackulin Chandra
- 19.C.Sumathi
- 20.P.Manivannan
- 21.S.Brintha
- 22.P.Kamalakanni
- 23.K.Jayanthi
- 24.N.Chinnasamy
- 25.K.Geetha
- 26.S.Vijayashanthi
- 27.K.Shanthi



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28.M.Kavitha
29.N.Muthulakshmi
30.S.Baskaran
31.S.Suresh
32.M.Aswathappa
33.M.Gopalakrishna
34.D.Chezhian
35.R.Sankaribala
36.S.Sivaranjani
37.D.Balraj
38.N.Valvarasi
39.N.Selvi
40.M.Tamilselvi
41.P.Banupriya
42.G.Lavanya
43.S.Senthilkumar
44.R.Indira
45.N.Manvizhi
46.P.Tholkappiyan
47.P.Girija
48.S.Saravanaselvi
49.S.Gomathi
50.R.Yokeswari

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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.

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,



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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 eligible for sanction of increment in their salary.

For Petitioners : Mrs.Nalini Chidambaram
Senior Counsel
for M/s.C.Uma

For R1 & R2 : Mr.V.Veluchamy
Additional Government Pleader



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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.

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

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.

G.K.ILANTHIRAIYAN. J.

Lpp

2. The Secretary to Government,



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Personnel and Administrative Reforms Department,
Fort St.George, Chennai – 600 009.

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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.

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and

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