



W.P.No.11066 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 24.04.2024

CORAM:

**THE HONOURABLE MR.JUSTICE D.BHARATHA
CHAKRAVARTHY**

**Writ Petition No.11066 of 2024
and W.M.P.Nos.12151 of 2024**

S.Muniyandi

... Petitioner

Vs.

1. The Regional Accounts Officer,
(Audit), Department of School Education,
Coimbatore – 641 001.
2. The Director,
Directorate of School Education,
Chennai – 600 006.
3. The District Educational Officer, (Secondary),
Tiruppur, Tiruppur District.
4. The Headmaster,
Bharathiyar Centenary,
Government Girls Higher Secondary School,
Udumalpet, Tiruppur District.
5. The Registrar,
Vinayaka Missions University,
Salem – 636 308.
6. The Secretary,
University Grants Commission,
Bahadur Shah Zafar Marg,
New Delhi – 110 002.

... Respondents



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PRAYER: Writ Petition filed under Article 226 of the Constitution of India, for issuance of Writ of Mandamus, forbearing the respondents 1 to 4 to pay the arrears of incentive increments to the petitioner for having qualified M.Phil. Degree from the date of completion of M.Phil Programme including all monetary benefits and consequently direct the respondents 1 to 4 to continue to pay the incentive increment to the petitioner.

For Petitioner : Mr.N.Umapathi

For Respondent : Mr.V.Manoharan
Additional Govt. Pleader [R2 to R4]

ORDER

The grievances of the writ petitioner seems to be that he possess a M.Phil degree and an incentive increment, which was granted to him in pursuant thereof was recovered in the year 2013. Subsequently, a Division Bench of this Court in the matter pertains to similarly situated persons in W.A.No.2328 of 2018 & etc., batch, had held in favour of the employees and against the withdrawal and recover of the incentive increment.

2. Therefore, the petitioner had made a representation to the respondents on 23.12.2023. In the representation, he prays that the



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amount recovered shall be paid to him and also the incentive increment be continued to him.

3. Mr.V.Manoharan, learned Additional Government Pleader takes notice on behalf of the respondents would submit that since no decision has been taken on the representation submitted by the petitioner, the authorities will consider the representation of the petitioner within a time frame as may be directed by this Court.

4. In view thereof, this writ petition is disposed of with a direction to the second respondent to consider the representation of the petitioner dated 23.12.2023 and decide the issue of grant of incentive increment and recovery on merits and in accordance with law within a period of twelve (12) weeks from the date of receipt of a copy of this order. No costs. Connected miscellaneous petitions are closed.

24.04.2024

Index: Yes/No
Speaking Order: Yes/No
Neutral Citation: Yes/No
mp



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D.BHARATHA CHAKRAVARTHY, J.

mp

To

1. The Regional Accounts Officer,
(Audit), Department of School Education,
Coimbatore – 641 001.
2. The Director,
Directorate of School Education,
Chennai – 600 006.
3. The District Educational Officer, (Secondary),
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