



WEB COPY



W.P.No.12436 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 30.04.2024

CORAM :

THE HON'BLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

W.P.No.12436 of 2024
and W.M.P.Nos.13575 and 13576 of 2024

P.Pavithra

.. Petitioner

Versus

1. The District Chief Educational Officer,
Krishnagiri District,
Krishnagiri.

2. The Head Master,
Government Girls Higher Secondary School,
Thenkanikottai,
Krishnagiri District.

.. Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, pleased to issue a Writ of Certiorarified Mandamus calling for the entire records in respect of the show-cause notice, dated 12.04.2024 in Na.Ka.No.55 of 2024 and quash the same consequently, direct the respondents to pay the incentive to the petitioner regularly.

For Petitioner : Mr.D.Rajagopal

For Respondents : Mr.V.Manoharan,
Additional Government Pleader



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ORDER

This Writ Petition is filed to quash the entire records in respect of the show-cause notice, dated 12.04.2024 and consequently, to direct the respondents to pay the incentive to the petitioner regularly.

2. The petitioner is working as B.T. Assistant. While so, she obtained post-graduate qualification and an advance increment was sanctioned to her. Now, a show-cause notice, dated 12.04.2024 is issued calling for her explanation as to why the advance increment should not be withdrawn and the excess amount should not be recovered from her. The petitioner submitted an explanation on 15.04.2024. However, without passing any final order, the respondents are simply attempting to recover the excess amount from the salary of the petitioner. The apprehensions of the petitioner are imminent and therefore, the petitioner has approached this Court.

3. Per *contra*, learned Additional Government Pleader, taking notice on behalf of the respondents, would submit that what is issued in the Writ



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Petition is only show-cause notice. The petitioner submitted her explanation and the same will be considered and final orders will be passed and without passing any final order, no reduction or recovery will be made.

4. In view of the above submissions made by the learned Additional Government Pleader, recording the fact that the respondents would not resort to any recovery without passing final orders on show-cause notice in accordance with law and on merits, this Writ Petition is disposed of. It is needless to state that the petitioner is entitled to make all submissions before the respondents to contest that the increment has been rightly granted to her and also no recovery can be made. It is for the respondents to consider the said claim on its own merits and in accordance with law. There shall be no order as to costs. Consequently, connected miscellaneous are closed.

30.04.2024

Index : yes
Speaking order
Neutral Citation : no
grs

To

1. The District Chief Educational Officer,
Krishnagiri District,



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- Krishnagiri.
2. The Head Master,
Government Girls Higher Secondary School,
Thenkanikottai,
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D.BHARATHA CHAKRAVARTHY, J.

grs

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