



W.P.(MD).No.4114 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 26.02.2024

CORAM

THE HONOURABLE MRS.JUSTICE L.VICTORIA GOWRI

W.P.(MD).No.4114 of 2024

M.Xavier Little Therese

... Petitioner

Vs

1. The Government of Tamil Nadu,
Rep by its Additional Chief Secretary,
Department of School Education,
Fort St.George,
Chennai-9.
2. The Director of School Education,
DPI Campus, College Road,
Chennai-6.
3. The Chief Educational Officer,
The Office of the Chief Educational Officer,
Thanjavur District.
4. The District Educational Officer,
The Office of the District Educational Officer,
Pattukottai, Thanjavur District
Now at: The District Educational Officer(Secondary Education).
The Office of the District Educational Officer,
Thanjavur – 613 001.
5. The Correspondent,
St.Isabels Girls Higher Secondary School,
Pattukottai, Thanjavur District.

... Respondents



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Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the respondents to act upon the proceedings of the 4th respondent, dated 08.07.2020 in Moo.Mu.No. 1864/A2/2020 by which approval for incentive increment for the higher qualification of M.Sc., Degree was granted and pay the incentive increment w.e.f 27.05.2019 and the annual increments from 2020, to the petitioner, M.Xavier Little Therese, working as B.T.Assistant (Science), in St.Isabels Girls Higher Secondary School, Pattukottai, Thanjavur District.

For Petitioner : Mr. Father Xavier Associates

For Respondents : Mr.M.Sarangan (R1-R4)
Additional Government Pleader

ORDER

The present writ petition has been filed seeking a direction to the respondents to act upon the proceedings of the 4th respondent, dated 08.07.2020 in Moo.Mu.No. 1864/A2/2020 by which approval for incentive increment for the higher qualification of M.Sc., Degree was granted and pay the incentive increment w.e.f., 27.05.2019 and the annual increments from 2020, to the petitioner, M.Xavier Little Therese, working as B.T.Assistant (Science), in St.Isabels Girls Higher Secondary School, Pattukottai, Thanjavur District.



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2.By consent of both parties, considering the limited relief sought for by the petitioner, the Writ Petition is taken up for final disposal at the stage of admission itself.

3.Heard, the learned counsel appearing for the petitioner and the learned Additional Government Pleader appearing for the respondents 1 to 4. Perused the materials on record.

4.The petitioner is a B.T.Assistant in the 5th respondent School. The 5th respondent forwarded a proposal to the 4th respondent for granting **an incentive** increment to the petitioner for acquiring higher qualification. Despite approval of the proposal by the fourth respondent on 08.07.2020, the petitioner was not paid with the incentive increment for acquiring higher qualification and subsequent annual increments from the year 2020. In this regard, the petitioner has sent several reminders, the same were not acted upon, thereby, the petitioner is not able to enjoy the fruit of the approval order, dated 08.07.2020. The petitioner is working as a B.T.Assistant in the 5th respondent School, without incentive increment for more than 4 years, that apart,



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subsequent annual increments have not been paid. Hence, this writ petition came to be filed.

5.The learned Additional Government Pleader appearing for the respondents 1 to 4 submitted that the proposal pertaining to the sanction of grant for incentive increment has already been forwarded to the Finance Department and favourable orders would be passed after getting concurrence from the Finance Department.

6.In view of the above submission, this Court hereby directs the respondents to act upon the proceedings of the fourth respondent, dated 08.07.2020 forthwith and grant incentive increment and annual increments to the petitioner, after obtaining concurrence from the Finance Department.

7.With the above direction, this writ petition stands disposed of.
There shall be no order as to costs.

26.02.2024

NCC : Yes / No
Index : Yes / No
Internet : Yes
PNM



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To

1. The Additional Chief Secretary,
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3. The Chief Educational Officer,
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L.VICTORIA GOWRI, J.

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ORDER IN
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