



W.P.(MD).No.4587 of 2024

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 28.02.2024

CORAM

THE HONOURABLE MRS.JUSTICE L.VICTORIA GOWRI

W.P.(MD).No.4587 of 2024

S.Mahendran

... Petitioner

Vs.

- 1.The Government of Tamil Nadu,
Rep. by Principal Secretary to
Government,
School Education Department,
Fort St. George,
Chennai-600 009.
- 2.The Director of School Education,
College Road,
Chennai-600 006.
- 3.The Chief Educational Officer,
Theni District,
Theni.
- 4.The Headmaster,
Government Higher Secondary School,
Kottur,
Theni.

... 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 disburse the Second Incentive Increment as per G.O.(1D)No.18, School Education Department dated 18.01.2013. Based on the proceedings of the Chief Education Officer - Theni / The 3rd respondent issued in NA KA No.6529 / A3 / 2019 dated 23.10.2019.

For Petitioner : Mr.A.Joseph Jerry

For Respondents : Mr.P.T.Thiraviyam,
Government Advocate

ORDER

By consent of both parties, this Writ Petition is taken up for final disposal at the stage of admission itself.

2. The present writ petition has been filed seeking direction to the respondents to disburse the Second Incentive Increment as per G.O.(1D)No.18, School Education Department dated 18.01.2013. Based on the proceedings of the Chief Education Officer - Theni passed by the 3rd respondent dated 23.10.2019.



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3. The brief facts which are necessary for the disposal of this Writ Petition is as follows:-

The petitioner was initially appointed as a Noon Meal Organizer vide proceedings dated 05.01.2010. Thereafter, she was appointed as first Grade teaching staff in social science at Government High School, A. Udaiyan Patti, Karur on 02.07.2012, vide proceedings of the 2nd respondent dated 23.06.2012. For the Master Decree completion, the petitioner received first incentive increment from the date of his joining. Further, he obtained prior permission to study M.Phil vide proceedings of the 2nd respondent, during the academic year 2016-2017, he completed M.Phil. For which, he applied second incentive increment before the 4th respondent through proper channel. Since the same was not considered by the respondents, the present writ petition came to be filed.

4. The learned Government Advocate on instructions submitted that the proposal for second incentive increment should be sent to the 3rd respondent through the 4th respondent. However, the said exercise has not been done by the 4th respondent.



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5. Heard, the learned Counsel appearing for the petitioner and the learned Government Advocate appearing for the respondents. Carefully perused the materials available on record.

6. In view of the same, I hereby direct the 4th respondent to send proposal for grant of second incentive increment of the petitioner to the 3rd respondent within a period of three (3) weeks from the date of receipt of a copy of this order. On receipt of the same, 3rd respondent is directed to pass appropriate orders in accordance with law within a period of four (4) weeks therefrom.

7. Accordingly, this Writ Petition stands disposed of. No costs.

28.02.2024

NCC : Yes / No
Index : Yes / No
Internet : Yes
Sml



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To

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L.VICTORIA GOWRI, J.

Sml

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