



W.A.(MD)No.684 of 2018

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 28.11.2024

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**THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN
and
THE HONOURABLE MR.JUSTICE P.VADAMALAI**

**W.A.(MD)No.684 of 2018
and
C.M.P.(MD)No.3923 of 2018**

- 1.The Director of Elementary School Education,
Chennai – 600 006.
- 2.The District Elementary Educational Officer,
Ramanathapuram District @ Ramanathapuram.
- 3.The Assistant Elementary Educational Officer,
Kamuthi Union, Kamuthi,
Ramanathapuram District. ... Appellants / Respondents

Vs.

K. Muthumari ... Respondent / Petitioner

Prayer : Writ Appeal filed under Clause XV of Letters Patent, to set aside the order dated 08.05.2017 in W.P.(MD)No.19214 of 2014 on the file of this Court and allow this writ appeal



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For Appellants : Mr.V.Om.Prakash,
Government Advocate.

For Respondents : Mr.N.Sathish Babu

JUDGMENT

(Judgment of the court was delivered by G.R.Swaminathan, J.)

Heard both sides.

2.The respondent herein filed W.P.(MD)No.19214 of 2014 for directing the department to grant one set of third incentive increment for having acquired M.Ed. The writ petition was allowed vide order dated 08.05.2017. Aggrieved by the same, the department filed this writ appeal.

3.It is not in dispute that the issue raised in this writ appeal stands covered by the decision of the Hon'ble Full Bench in W.A.(MD)Nos.3674 of 2014 etc batch dated 29.04.2022. The Hon'ble Full Bench in the said decision had held that a teacher is not entitled to a



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third set of incentive increment and that the decisions that held to the contrary cannot be said to be good law. The reference was answered accordingly.

4.In this view of the matter, the order impugned in this writ appeal is set aside and the writ appeal is allowed. No costs. Consequently, connected miscellaneous petition is closed.

(G.R.S. J.) & (P.V.M. J.)
28.11.2024

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