



W.P.(MD)No.6397 of 2017

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 05.09.2024

CORAM

THE HON'BLE MR.JUSTICE ABDUL QUDDHOSE

W.P.(MD)No.6397 of 2017

M.Rajam

: Petitioner

Vs.

1.The District Elementary Educational Officer,
Collectorate Complex,
Virudhunagar.

2.The Assistant Elementary Educational Officer,
Collectorate Complex,
Virudhunagar.

: Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying for a Writ of Certiorarified Mandamus, calling for the records relating tot he order passed by the second respondent in his proceedings O.Mu.No.1368/A3/2016 dated 28.02.2017 and quash the same as illegal and consequently direct the respondents to sanction third incentive increment for M.Phil., qualification to the petitioner and all the consequential benefits.



W.P.(MD)No.6397 of 2017

For Petitioner : Mr.R.Govindaraj
For Respondents : Mr.T.Amjad Khan
Government Advocate

ORDER

In this writ petition, the petitioner has challenged the impugned proceedings of the second respondent dated 28.02.2017, rejecting the petitioner's request for sanction of third incentive increment for his M.Phil qualification.

2.Law is now well settled by the decision of the Hon'ble Full Bench of this Court dated 29.04.2022 passed in W.A.Nos.3674 of 2019, etc., batch, wherein it has been held that a teacher shall be granted only with two incentive increments, equivalent to four advance increments for the entire period of his / her service.

3.The said Full Bench decision has also been followed by the Division Bench of this Court in the case of ***V.Mayalagu Vs. Secretary to Government and others in W.P.(MD)No.19425 of 2014 dated 10.10.2022, reported in 2022 SCC Online Mad 8280.***

4.In view of the aforesaid decisions, it is clear that the petitioner's relief that has been sought for in this Writ Petition



W.P.(MD)No.6397 of 2017

cannot be granted and therefore, the second respondent was right in rejecting her request for third incentive increment under the impugned order dated 28.02.2017. Accordingly, there is no merit in this Writ Petition.

5.In the result, this Writ Petition is dismissed. There shall be no order as to costs.

05.09.2024

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



WEB COPY



W.P.(MD)No.6397 of 2017

To

1.The District Elementary Educational Officer,
Collectorate Complex,
Virudhunagar.

2.The Assistant Elementary Educational Officer,
Collectorate Complex,
Virudhunagar.



WEB COPY



W.P.(MD)No.6397 of 2017

ABDUL QUDDHOSE, J.

MR

W.P.(MD)No.6397 of 2017

05.09.2024