



W.A.(MD).No.2394 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 21.11.2024

CORAM

**THE HONOURABLE MR.JUSTICE M.S.RAMESH
AND
THE HONOURABLE DR.JUSTICE A.D.MARIA CLETE**

W.A.(MD).No.2394 of 2024
and
C.M.P.(MD).No.16525 of 2024

- 1.The State of Tamil Nadu,
Represented by its Secretary to Government,
School Education Department,
Secretariat,
Chennai.
- 2.The Director of School Education,
O/o. the Director of School Education,
College Road,
Chennai - 6.
- 3.The Chief Educational Officer,
O/o. the Chief Educational Officer,
Palani Road, Dindigul,
Dindigul District.
- 4.The Headmaster,
Government Higher Secondary School,
Agaram,
Dindigul District.

... Appellants/Respondents 1 to 4

Vs.



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1.K.Jeyanthi,
P.G.Assistant (Zoology),
Government Higher Secondary School,
Agaram,
Dindigul District.

... 1st Respondent/Writ Petitioner

2.The Registrar,
Vinayaga Missions University,
Ariyanoor,
Salem – 636 308.

... 2nd Respondent/5th Respondent

PRAYER: Writ Appeal filed under Clause 15 of Letters Patent, praying to set aside the order dated 07.11.2023 in W.P.(MD).No.23508 of 2023 on the file of this Court.

For Appellants	: Mr.J.Ashok Additional Government Pleader
For R-1	: Mrs.R.Geethanjali for M/s.Ajmal Associates
For R-2	: Mr.S.Anwar Sameem

JUDGMENT

(Judgment of the Court was made by M.S.RAMESH,J.)

The present Writ Appeal has been filed challenging the order passed by the learned Single Judge in W.P.(MD).No.23508 of 2023 dated 07.11.2023.



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2. The issue as to whether the incentive increment granted for the higher educational qualification of M.Phil., degree obtained from Vinayaga Missions University can be sustainable or not, is no more *res integra*, since this Court had held such degree to be valid for the purpose of grant of incentive increment in several cases including the case of the ***Government of Tamil Nadu, Represented by Secretary to Government, School Education Department, Fort St.George, Chennai – 09 and others Vs. R.Gunasekaran and others*** passed in ***W.A.(MD).No.686 of 2024 dated 16.04.2024***, which order was also confirmed by the Hon'ble Supreme Court in S.L.P(C).Diary No.34679 of 2024 dated 11.11.2024.

3. As such, the order of the learned Single Judge, quashing the proceedings of the appellants herein withdrawing the incentive increment granted to the first respondent herein, cannot be found fault with. Hence, the Writ Appeal stands dismissed. There shall be no order as to costs. Consequently, connected miscellaneous petition stands closed.

(M.S.R.,J.) (A.D.M.C.,J.)
21.11.2024

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