



W.P.(MD).No.30624 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 18.12.2024

CORAM

THE HON'BLE MR.JUSTICE R.VIJAYAKUMAR

W.P.(MD)No.30624 of 2024

and

W.M.P.(MD).Nos.25709 & 25710 of 2024

R.Kavitha

... Petitioner

Vs

1. The State of TamilNadu,
Rep. by its Secretary to Government,
School Education Department,
Fort. St. George,
Chennai-600 009.

2. The Director of Elementary Education,
O/o.The Director of Elementary Education,
College Road,
Chennai-6.

3. The District Elementary Educational Officer,
O/o.The District Elementary Educational Office,
Theni,
Theni District.

4. The Block Educational Officer,
O/o.The Block Educational Office,
Periyakulam,
Theni District.

5. The Correspondent,
Hameethia Middle School,
Periyakulam,
Theni District.

...Respondents



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PRAYER: Writ Petition is filed under Article 226 of the Constitution of India, to issue a writ of Certiorari, calling for the records relating to the impugned order issued by the fourth respondent in his impugned proceedings in Na.Ka.No.2053/A2/2024 dated 04.12.2024 and quash the same as illegal.

For Petitioner : Mr.H.Mohammed Imran
For Respondent Nos.1 to 4 : Mr.N.Satheesh Kumar
Additional Government Pleader

ORDER

The instant writ petition has been filed by a B.T. Assistant Teacher working in the aided minority fifth respondent's institution, challenging the order passed by the fourth respondent on 04.12.2024, wherein an order of recovery of incentive increment was issued.

2. It is the grievance of the writ petition that such recovery has been issued without issuing any notice or conducting any enquiry.



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3. In view of the above said facts, the impugned order dated 04.12.2024, shall be treated as show cause notice to the writ petitioner and she is entitled to submit her explanation within a period of four weeks from the date of receipt of a copy of this order. Thereafter, the fourth respondent is directed to consider the said explanation and pass appropriate orders and in accordance with law within a period of eight weeks thereafter.

4. With the above said observations, this writ petition stands disposed of.
No costs. Consequently, connected miscellaneous petitions are closed.

18.12.2024

NCC : Yes/No
Index : Yes/No
Internet: Yes/No
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R.VIJAYAKUMAR, J.

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