



WEB COPY

W.A.No. 225 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 17.02.2025

CORAM:

THE HONOURABLE MR.JUSTICE R.SUBRAMANIAN
AND
THE HONOURABLE MR.JUSTICE G.ARUL MURUGAN

W.A.No. 225 of 2025
and
C.M.P.No. 1570 of 2025

1. The State of Tamil Nadu,
Represented by its Principal Secretary to Government,
School Education Department,
Secretariat, Fort St. George,
Chennai - 600 009.
2. The Director of Elementary Education,
DPI Campus, College Road,
Chennai - 600 006.
3. The Chief Educational Officer,
Kancheepuram District, Kancheepuram.
4. The District Educational Officer,
Sriperumbudur Educational District,
Kancheepuram District.
5. The Block Educational Officer,
Sriperumbudur Union,
Kancheepuram District.

...Appellants

Vs.

Amsa

...Respondent



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Prayer: Writ Appeal filed under Clause 15 of the Letters Patent, against the order dated 02.07.2024 made in W.P.No.4180 of 2020.

For Appellants : Mr.U.M.Ravichandran
Special Government Pleader
For Respondent : Mr.P.Murali

J U D G M E N T

(Judgment of the Court was made by R.SUBRAMANIAN, J.)

The claim for incentive increment made by the respondent, who was appointed as secondary grade Teacher for acquiring bachelors degree in Commerce, post graduate degree in Commerce and B.Ed., was partially allowed, restricting it only to one advance increment for acquisition of B.Ed., Degree.

2. Similar question came up before a Division Bench of this Court in ***Chief Educational Officer, Salem Vs. M.Menaka Madhavan*** and by judgment dated 03.01.2025, the Division Bench has affirmed the conclusion of the learned single Judge to the effect that the respondent would be entitled to one advance increment for acquisition of B.Ed., degree, which is certainly a higher qualification for a secondary grade Teacher. While doing so in paragraph 7 of the judgment, it observed as follows:-



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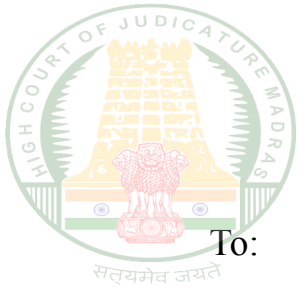
"7. The said submission does not have any force for the simple reason that the B.Ed. Degree acquired is certainly a higher qualification insofar as a Secondary Grade Teacher is concerned, because the qualification to hold the post of Secondary Grade Teacher is Secondary Grade Teacher Training alone. When that being so, for very long years, the practice of sanctioning advance incentive increment for having acquired the qualification of B.Ed. Degree, which has been in vogue, cannot be put against the respondent/writ petitioner by revoking the benefit already conferred on her."

3. The very same issue is sought to be agitated in this writ appeal also. In view of the same, this Writ Appeal is **dismissed**. No costs. Consequently, connected miscellaneous petition is closed. It is made clear that if the petitioner has acquired higher qualification prior to G.O.Ms.No.37 i.e., on 10.03.2020, the petitioner would be entitled to advance increments *de hors* G.O.MsNo.37.

(R.S.M., J.) (G.A.M., J.)
17.02.2025

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Index: No
Speaking order
Neutral Citation : No
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To:

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