



WEB COPY

W.P.No.30754 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 19.08.2025

CORAM

THE HONOURABLE Ms. JUSTICE P.T. ASHA

W.P.No.30754 of 2025

Tmt. K. Nageswari

... Petitioner

Vs.

1. The Director of School Education,
College Road, Chennai – 6.

2.The Chief Educational Officer,
Salem District,
Salem.

3.The District Educational Officer,
Shevapet,
Salem District.

4.The Headmaster,
Sengunthar Mahajana Higher Secondary School,
Tharamangalam, Omalur Taluk,
Salem District - 636 502.

5.The Secretary,
Sengunthar Mahajana Higher Secondary School,
Tharamangalam, Omalur Taluk,
Salem District - 636 502.

...Respondents



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Prayer:- Writ petition filed under Article 226 of the Constitution of India praying for issuance of a writ of Mandamus, to direct the Respondents to sanction the 2nd Incentive Increment for acquiring M.Phil Degree and to revise the Pension and to sanction the arrears of pay within a stipulated time may be fixed by this Honble Court.

For Petitioner : M/s.M.Saravanakumar

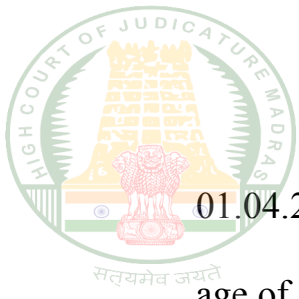
For Respondents : M/s.S.Prabhakaran, Govt. Advocate
for R.1 to R.3.

ORDER

The above Writ Petition is filed for the following reliefs:-

"to Direct the Respondents to sanction the 2nd Incentive Increment for acquiring M.Phil Degree and to revise the Pension and to sanction the arrears of pay within a stipulated time may be fixed by this Honble Court.."

2. It is the contention of the petitioner that initially she had appointed as a Vocational Instructor in Sengunthar Mahajana Higher Secondary School, Tharamangalam, Omalur Taluk, Salem District on 17.04.1984 on consolidated pay. Her services were regularized on 01.04.1990. Subsequently, she was sanctioned the Selection Grade of Pay with effect from 01.04.2000 and the Special Grade of Pay with effect from



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01.04.2010. Ultimately, she had retired from services after attaining the age of superannuation on 30.11.2022.

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3. The petitioner would further submit that during the course of employment she had acquired M.Com. degree and got one incentive increment from the year 2010. Thereafter, in February 2011 she had acquired M.Phil decree and had made an application through the Headmaster to the 4th respondent to sanction incentive increment for acquiring M.Phil degree. However, respondents 2 and 3 had orally replied her that a teacher is not entitled to get the incentive increment for the second time.

4. It is the case of the petitioner that as per G.O.Ms.No.42 dated 10.01.1969 read with G.O.Ms.No.1024 dated 09.12.1993 and G.O.Ms.No.240 dated 18.08.2010 for possessing the higher qualification, namely, M.Phil, she is entitled for the second advance increment. That apart, a similarly placed person Mr. P. Thirunavukarasu has already been granted the benefit of second increment from 04.02.2011 for possessing the M.Phil Decree. Therefore, the petitioner had made a representation dated 13.06.2018 to the respondents. However, the same has not been



considered by the respondents to date. Hence, the present Writ Petition.

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5. The learned Government Advocate appearing for the respondents would submit that the petitioner had made a representation as early as in the year 2018 and that she may be directed to submit a fresh representation which will be considered.

6. Heard the learned counsel on either side.

7. Considering the representation of the learned Government Advocate, the Writ Petition is allowed with a direction to the petitioner to submit a fresh representation within a period of 2 weeks from the date of receipt of a copy of this order and within a period of one month therefrom, the respondents shall consider the request of the petitioner for the 2nd incentive increment on the basis of the extant rules, Government Orders etc., and pass a speaking order in accordance with law.

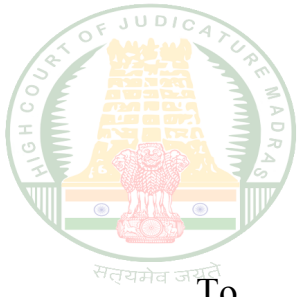
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(shr)

Index : Yes/No

Speaking Order: Yes/No

Neutral Citation : Yes/No



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P.T. ASHA. J.,

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