



W.P. No. 33838 of 2019

W.P.No.33838 of 2019

WEB **Dr.R.N.MANJULA, J.**

This matter is listed today under the caption “For being mentioned”.

2. The learned counsel for the petitioner filed a memo dated 11.11.2025 stating that in the cause title of order dated 27.03.2025, a clerical error has been made in typing the fourth respondent's address and it is further stated that the petitioner had wrongly mentioned the address of the 7th respondent in the petition in W.P.No.33838 of 2019 and hence the above errors have to be ratified.

3. On perusal of the petition filed by the petitioner in W.P.No.33838/2019, it is seen in the cause title that the address of both the fourth and seventh respondents have been mentioned wrongly and in view of the same, the petitioner ought to have filed a separate amendment petition. Only then, the above errors can be ratified accordingly in the order dated 27.03.2025.

11.11.2025

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W.P.No.33838 of 2019

11.11.2025



W.P. No. 33838 of 2019

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27.03.2025

CORAM

THE HON'BLE Ms. JUSTICE R.N.MANJULA

W.P. No. 33838 of 2019

and

W.M.P. No. 34356 of 2019

Yasmeen Sultana

... Petitioner

-VS-

1. The Secretary to Government
School Education Department
Government of Tamil Nadu
Fort St. George, Chennai-9.
2. The Director of School Education
College Road, DPI Campus
Chennai-600 006.
3. The Chief Educational Officer
Presidency Girls Higher Secondary School
Egmore, Chennai-600008.
4. The District Educational Officer
Chennai East Jayagopalkarodiya Government
Higher Secondary School
Choolai Medu, Chennai-600064.
5. The Block Educational Officer
Thiruvallikeni, Chennai.
6. The Principal Accountant General
Accounts and Audit (A&E) Dept.
Chennai.
7. The Correspondent
Murthuzaviya Oriental Higher Secondary School
No.12/186, Big Street, Triplicane, Chennai-600005.

... Respondents



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Prayer:- Writ Petition filed under Article 226 of the Constitution of India, 1950, praying to issue a Writ of Certiorarified Mandamus, calling for the records pertaining to proceedings of the fifth respondent in his proceedings bearing Na.Ka.No.115/2019 dated 17.06.2019 signed by the fifth respondent on 09.10.2019 and to quash the same and to direct the fourth and fifth respondents to approve the bonus along with increased salary for the 30 years of service of the petitioner.

For Petitioner : Ms.G.Devi

For Respondents : Mrs.P.Rajarajeswari, GA

ORDER

The petitioner has filed this writ petition seeking to call for the records pertaining to proceedings of the fifth respondent in his proceedings bearing Na.Ka.No.115/2019 dated 17.06.2019 on 09.10.2019 and to quash the same and to direct the fourth and fifth respondents to approve the bonus along with increased salary for the 30 years of service of the petitioner.

2. Heard Ms.G.Devi, learned counsel for the petitioner and Mrs.P.Rajarajeswari, learned Government Advocate for the respondents and perused the materials placed on record, apart from the pleadings of the parties.



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3. The petitioner was working as a Secondary Grade Assistant Teacher in the seventh respondent School from 01.08.1984. As per the Government Order issued in G.O.Ms.No.562, Finance (Pay Cell) Department dated 28.09.1998, persons, who have completed more than 30 years of service, are eligible to get one bonus increment for getting stagnated in the post of the Secondary Grade Post. Despite the petitioner made several requests, she was not granted with the bonus, but later, she came to know in the year 2019 that there is an endorsement made in her service record(SR) as though she has relinquished her promotion to the post of Headmistress. By citing the said reason, the petitioner was denied with the one bonus increment.

4. The learned Government Advocate for the respondents submitted that the petitioner has relinquished her promotion to the next level post of Headmistress, even when the opportunity arose for her promotion in the year 2006 and now disowns the relinquishment request for the sake of claiming one bonus increment. The categorical statement of the petitioner is not aware of any endorsement in her service record(SR) and she has not given any letters stating that she wished to relinquish her promotion to the post of Headmistress. It is



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submitted by the petitioner that she has not never been offered the promotion to the post of Headmistress.

5. In fact, a clarification has been sent by the seventh respondent School to the fifth respondent by clarifying that the petitioner's school is a minority institution and hence, it has an autonomy to post any one in the administrative capacity. Therefore, for the administrative post like Headmistress, there is no need to get any relinquishment willingness from the petitioner. In fact, the above clarification has been given in pursuant to the queries raised by the fifth respondent School in this regard. So, it is seen from the records that one Sirajunissa, who is junior to the petitioner, was promoted to the post of Headmistress and in order to save her post in case of any future claim, she had made an endorsement in the Service Record of the petitioner that the petitioner had relinquished her promotion. In fact, the Service Record of the petitioner with the said endorsement was sent to the Assistant Elementary Education Officer. The Assistant Elementary Education Officer refused to make approving the endorsement. Hence, the above endorsement in the service record book of the petitioner can be of no consequence and it loses its significance.



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6. The right for Authority, who can state about the genuineness of the entry, is the School Management. Despite the School Management has clarified the fifth respondent that the above endorsement has not made by the petitioner voluntarily and that was not counter signed by the Government Authorities also. Hence, the respondents need not fret on the above endorsement in order to deny the petitioner for the benefit of granting bonus increment.

7. The fact that the petitioner has been serving in the post of Secondary Grade Assistant for more than 30 years was not denied. The only reason to deny her the stagnation increment (bonus increment), is only for the reason that she was not willing to accept promotion. As the petitioner has not been offered with any promotion at any point of time and the School Authorities themselves have also made it clear that the endorsement was not made in pursuant to any letter of unwillingness given by the petitioner. There is no reason to withhold the stagnation increment(bonus increment) due to the petitioner, in view of her completing 30 years of service in the post of the Secondary Grade Post without any promotion. It is also brought to the notice that the endorsement has been cancelled subsequently.



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8. In view of the above stated reasons, this writ petition stands allowed. The respondents are directed to approve the bonus along with increased salary for the 30 years of service of the petitioner. Consequently, the connected Miscellaneous Petition is closed. No costs.

27.03.2025

Index: Yes/No

Internet: Yes/No

Speaking /Non-speaking order

Maya

To

1. The Secretary to Government of Tamil Nadu
School Education Department
Fort St. George, Chennai-9.
2. The Director of School Education
College Road, DPI Campus
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3. The Chief Educational Officer
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