



WEB COPY



W.P.No.36741 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 10.11.2025

CORAM:

THE HONOURABLE MR. JUSTICE **G.K.ILANTHIRAIYAN**

W.P.No.36741 of 2024 and
WMP.Nos.39647 & 39648 of 2024

V.Radhakrishnan

... Petitioner

Vs.

1.THE SECRETARY TO GOVERNMENT,
SCHOOL EDUCATION DEPARTMENT,
SECRETARIAT, CHENNAI- 600 009

2.THE DIRECTOR OF ELEMENTARY EDUCATION,
DPI CAMPUS, CHENNAI-600 006.

3.FINANCIAL ADVISOR AND CHIEF EDUCATION OFFICER,
EDUCATION DEPARTMENT, CHENNAI-06

4.THE DISTRICT EDUCATIONAL OFFICER,
CUDDALORE DISTRICT.

5.THE BLOCK EDUCATIONAL OFFICER,
EDUCATION DEPARTMENT, PANRUTTI BLOCK,
CUDDALORE DISTRICT.

... Respondents

PRAYER:

Writ Petition is filed under Article 226 of Constitution of India
praying to issue a Writ of Certiorarified Mandamus Calling for the
records relating to the impugned proceeding Na.Ka. No.135/A1/ 2024
dated 30.08.2024 issued by the 5th respondent and quash the same and
1/4



W.P.No.36741 of 2024

consequently direct the respondents to continue the grant of incentive increments with effect from petitioner having acquired the Higher Qualification and fix the retirement benefits accordingly.

For Petitioner : Mr.U.Karunakaran

For Respondents : Mrs.S.Mythreye Chandru,
Special Government Pleader
(Education)

ORDER

This writ petition has been filed challenging the order dated 30.08.2024 of the fifth respondent thereby ordering to recover the incentive increment which was already paid to the petitioner.

2. It is seen that this issue was already dealt with by this Court in WP.No.24236 of 2025 dated 23.10.2025, etc. batch., thereby this Court quashed the similar orders impugned in those writ petitions. The relevant portion of the said order is extracted hereunder:

“16.Though the impugned orders were passed by referring to the order passed by the Madurai Bench of this Court in WP.(MD).no.22704 of 2018 dated 21.01.2025, it failed to consider the order passed by the Hon'ble Division Bench of this Court in W.A.No.2747 of



W.P.No.36741 of 2024

2023 dated 28.03.2025 in which this Court had categorically held that as per G.O.(Ms) No.324 dated 25.04.1995, all higher qualifications obtained in subjects which form part of the higher secondary syllabus shall be entitled to grant of incentive increments.

17. In view of the above, the orders impugned in these writ petitions cannot be sustained in toto and they have to be quashed and all impugned orders are hereby quashed in all the writ petitions.”

3. Therefore, the same order can be passed in this writ petition as well. Accordingly, the impugned order dated 30.08.2024 is quashed and this writ petition stands allowed. Consequently, connected miscellaneous petitions are closed. There shall be no order as to costs.

10.11.2025

Neutral citation: Yes/No

Index: Yes/No

Speaking/Non-speaking order

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W.P.No.36741 of 2024

G.K.ILANTHIRAIYAN, J.

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To

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