



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 05-11-2025

CORAM

THE HONOURABLE MR JUSTICE G.K. ILANTHIRAIYAN

WP No. 41383 of 2025

S.P.Arun

Petitioner(s)

Vs

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

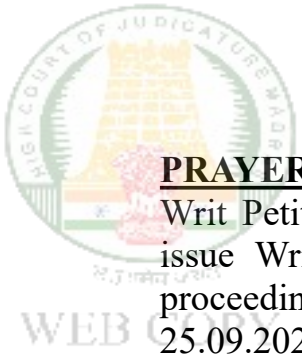
2.The Director of Elementary Education,
D.P.I. Campus, College Road,
Chennai-600 006.

3.The District Educational Officer
(Elementary),
District Educational Office,
Kuniyamuthur,
Coimbatore-641 008.

4.The Block Educational Officer,
Karamadai Block,
Mettupalayam Taluk,
Coimbatore District-641 104

5.The Headmaster
PUMS, Pudhukadu,
Karamadai Union,
Coimbatore District 641 104

Respondent(s)

**PRAYER**

Writ Petition filed under Article 226 of the Constitution of India, praying to issue Writ of Certiorari, calling for the entire records connected with the proceedings of the 4th respondent in Na.Ka.No. 3274/ A3/ 2025 dated 25.09.2025 and quash the same.

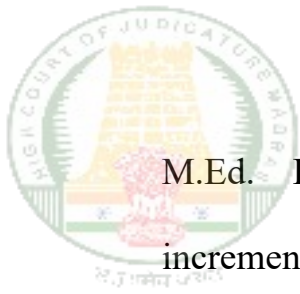
For Petitioner(s): Mr.K.Thilageswaran

For Respondent(s): Mrs.S.Mythreye Chandru
Special Government Pleader
for R1 to R4

ORDER

This writ petition has been filed challenging the order passed by the fourth respondent dated 25.09.2025 thereby ordered to recover the incentive increment, which was granted in the year 2008.

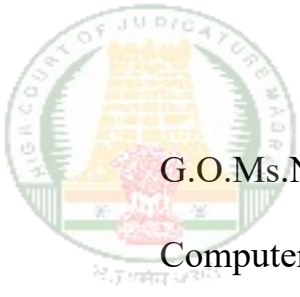
2. The petitioner was qualified for appointment as Secondary Grade Teacher with qualification of H.S.C and D.T.Ed. Thereafter, he was appointed to the said post on 08.12.2005. Subsequently, the petitioner had completed his B.Sc. Degree between 2001-2003. Even prior to his appointment, he had completed B.Sc. (Computer Science). Thereafter, the petitioner also successfully completed his Master degree in M.Sc. (Computer Science) in the month of January, 2006 and completed his B.Ed decree also in the March, 2009. Thereafter, he completed M.Phil in Computer Science on 09.04.2009 with the approval of third respondent. That apart, the petitioner also completed B.A. (English) in the month of October, 2010, after obtaining prior approval from the authority. Therefore, the petitioner is qualified with B.Ed., M.A., M.Sc., and



M.Ed. Hence, the petitioner submitted representation for grant of two sets of increments and same was granted by an order dated 30.12.2008. Now the fourth respondent by order dated 25.09.2025 cancelled the incentive increment and directed to recover the increment.

3. The scheme for grant of incentive increments to teachers acquiring higher qualification was introduced under G.O.Ms.No.42, Education Department dated 10.01.1969. Subsequently, several Government Orders passed and clarified that teachers are eligible only for two advanced increments. While being so, the Government Order passed in G.O.Ms.No.324, Education, Science and Technology Department dated 25.04.1995 thereby restricted relevant subjects to those forming part of the Higher Secondary syllabus for incentive increments.

4. The Hon'ble Division Bench of this Court also held that B.Ed. is a higher qualification for Secondary Grade Teachers and they are entitled to receive incentive increments. Further, the Government Order in G.O.Ms.No.324, Education, Science and Technology Department dated 25.04.1995 governs the field of subjects for incentive and the test is whether the subject is in the Higher Secondary Syllabus and mere departmental attempt to confine Secondary Grade Teachers incentives to elementary school subjects cannot cut down the scope of the order passed by the Government in



G.O.Ms.No.324. Though the subjects like Economics, Commerce and Computer Science not elementary school subjects fall within eligibility, if they are in the Higher Secondary syllabus, they are eligible for incentive increment.

Admittedly, the petitioner qualified with higher qualification in the subjects very much available in Higher Secondary syllabus. Therefore, the order impugned cannot be sustained and liable to be quashed.

5. In view of the above, the impugned order dated 25.09.2025 is quashed. The writ petition stands allowed. No costs. Consequently, W.M.P.No.46345 of 2025 is allowed.

05-11-2025

Index: Yes/No
Speaking/Non-speaking order
Internet: Yes
Neutral Citation: Yes/No
mrn



To

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G.K.ILANTHIRAIYAN, J.
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