



W.P.No.30790 of 2018

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 20.11.2025

CORAM:

**THE HONOURABLE MR JUSTICE K.SURENDER**

W.P.No. 30790 of 2018

1. P.Rajapandia Balasingam  
S/o Paulraj, No. 129, 2nd Kailasapuram Steet  
Nazareth 628617 Tuticorin District

.. Petitioner

Versus

1. The Secretary to Govt  
Education Department Government of  
Tamil Nadu Fort St.George,  
Chennai-600 009.

2.The Director Of School Educaton  
(Secondary)  
College Road, Chennai-6

.. Respondents

Prayer: Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus, to call for the records relating to the order of the first respondent LR.NO7567/SE6(1)/2018 dated 17-7-2018 and quash the same and direct the first Respondent to grant 3rd incentive increment for acquiring M.Phil. Degree to the Petitioner with all arrears of monetary Benefits within a time frame fixed by this Court.

For Petitioner : M/s. R.Kamaraj  
For Respondent(s): Ms.P.Rajarajeswari



W.P.No.30790 of 2018

WEB COPY

### **ORDER**

This Writ Petition has been filed seeking for issuance of a Writ of Certiorarified Mandamus, to call or the records relating to the order of the first respondent LR.NO7567/SE6(1)/2018 dated 17-7-2018 and quash the same and direct the first Respondent to grant 3rd incentive increment for acquiring M.Phil. Degree to the Petitioner with all arrears of monetary benefits within a time frame to be fixed by this Court.

2. According to the petitioner, during his tenure as B.T.Assistant, he acquired M.Phil.degree on 24.12.1998. Thereafter, he made representations seeking for grant of incentive increment for having acquired M.Phil. degree. The first respondent, vide proceedings dated 17.07.2018, rejected the representation of the petitioner on the ground that there is no provision for granting 3<sup>rd</sup> incentive increment for acquiring M.Phil qualification.

3. The learned counsel for the petitioner would contend that the issue regarding grant of third set of incentive increment has already been decided by this Court in various Writ Petitions and consequent Writ Appeals by the Government came to be dismissed. He relied upon a judgment dated



W.P.No.30790 of 2018

24.07.2013 passed by Madurai Bench of this Court in W.A.Nos.2604 to 2606 of 2009, W.A.No.426 of 2008 and W.A.No.867 of 2014, wherein, it has been categorically held a teacher is entitled to a third set of incentive increment on acquiring higher qualification and there is no limit for granting incentive increments.

4. The learned counsel appearing for the respondents would submit that subsequently, a Full Bench of this Court has categorically held that a teacher is entitled to the third set of incentive increment, cannot be said to be a good law and hence, she would urge this Court to dismiss the Writ Petition. She produced a copy of the Full Bench judgment dated 29.04.2022 in W.A.Nos. 3674 of 2019 etc. batch,

5. In fact, the First Bench of this Court, while dealing with the similar issue in batch of Writ Appeals in W.A.Nos.3674 of 2019 etc., has taken note of the divergent views of two Division Benches, viz., one Division Bench in W.A.(MD) Nos.701 and 769 of 2015, etc., dated 15.07.2015, held that a teacher is entitled to a third set of incentive increment on account of acquiring higher qualification; while another Division Bench in W.A.No.1664 dated 29.06.2018, took a contra view that



W.P.No.30790 of 2018

during the entire tenure of a teacher's service, as per the policy decision of the Government, he/she shall be granted only with two incentive increments, as such, as a matter of right, a teacher cannot claim the third set of incentive increment. Having taken note of these divergent views of two Division Benches of this Court, the First Bench vide judgment dated 29.04.2022, has referred the matter to a Full Bench to answer the reference on the following question, viz.,

“Whether a teacher is entitled to a third incentive increment on account of acquiring an M.Phil. qualification or not?”

6. Answering to the above question, the Hon'ble Full Bench of this Court in W.A.Nos.3674 of 2019, etc. batch, vide judgment dated 29.04.2022, has categorically held as under in paragraph 13:

“13. In the light of the above, we are of the considered opinion that the view taken by the Division Bench in W.A.No.1664 of 2016 dated 29.06.2018 (The Director of School Education and others versus V.Dhanapal) that a teacher shall be granted only with two incentive increments, equivalent to four advance increments, for the entire period of his/her service, **holds**



W.P.No.30790 of 2018

**good** and the view taken by the Division Bench in W.A. (MD) Nos.701 and 769 of 2015, etc., dated 15.07.2015 (The Director of School Education and others versus S.Amalraj) and the view taken by another Division Bench in W.A.(MD) No.867 of 2014 dated 18.09.2014 (The Director of School Education and another versus N.Balasoundari and another) that a teacher is entitled to the third set of incentive increment, **cannot be said to be a good law.** We answer the reference accordingly.”

7. Having regard to the above Judgement, dated 29.04.2022 of the Full Bench of this Court in W.A.Nos.3674 of 2019, etc. batch, this Court is of the view that the petitioner is not entitled to the third set of incentive increment, which is the subject matter of the present Writ Petition. Accordingly, the Writ Petition is dismissed. No costs.

**K.SURENDER, J.**  
**20.11.2025**

Index:Yes/No  
Neutral Citation:Yes/No  
suk



WEB COPY



W.P.No.30790 of 2018

K.SURENDER, J.

suk

To

1. The Secretary to Govt  
Education Department Government of  
Tamil Nadu Fort St.George,  
Chennai-600 009.

2.The Director Of School Education  
(Secondary)  
College Road, Chennai-6

W.P.No.30890 of 2018

20.11.2025