

WP(MD)No.1725 of 2019

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 08.01.2025

CORAM:

THE HONOURABLE MR.JUSTICE B.PUGALENDHI

WP(MD)No.1725 of 2019
and
WMP(MD)No.1475 of 2019

I.Bhagavathi

.. Petitioner

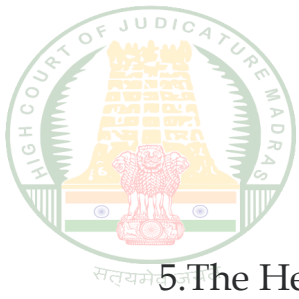
v.

1.The Government of Tamil Nadu,
Rep. by its Secretary to Government,
Department of School Education,
Fort St.George, Secretariat,
Chennai – 600 009.

2.The Director of School Education,
DPI Campus,
College Road,
Chennai – 600 006.

3.The Chief Educational Officer,
Tirunelveli,
Tirunelveli District.

4.The Block Educational Officer – II,
Melaneelithanallur,
Tirunelveli District.



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5. The Headmaster,
Government Primary School,
Melaneelithanallur Union – 627 857,
Tirunelveli District.

.. Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India seeking issuance of a Writ of Certiorarified Mandamus calling for the records relating to the impugned order passed by the fourth respondent in Na.Ka.No.160/A2/2018 dated 19.04.2018, quash the same and consequently, directing the respondents to sanction and disburse the incentive increment to the petitioner for acquiring M.A. Tamil Degree from May, 2014, in the light of the order passed in WP.No.17025 of 2014 and WA.No.426 of 2008 and in the light of G.O.Ms.No.1023 dated 09.12.1993 and G.O.Ms.No.17, School Education Department, dated 08.01.2008, G.O.Ms.No.209, School Education Department, dated 08.07.2010.

For Petitioner : Mr.S.C.Herold Singh

For Respondents : Mr.G.V.Vairam Santhosh
Additional Government Pleader



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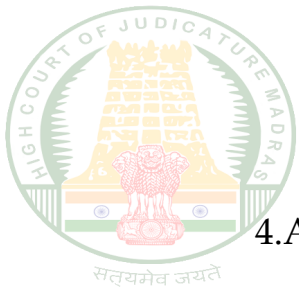
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ORDER

The petitioner has claimed for incentive increment based on higher qualification (M.A.) obtained from Annamalai University. The request of this petitioner for incentive increment was withheld, by the order impugned, by referring to the pendency of the writ petitions filed by one Rajamanickam before this Court in WP(MD)Nos.8508 of 2014 & 9398 of 2015. Aggrieved over the same, the petitioner has filed this writ petition.

2.When this writ petition is taken up for hearing, the learned Counsel on either side submitted that the writ petitions in WP(MD)Nos.8508 of 2014 & 9398 of 2015, based on which the incentive increment was denied to this petitioner, were withdrawn by Rajamanickam.

3.Since the earlier decision was taken by the respondents considering the pendency of WP(MD)Nos.8508 of 2014 & 9398 of 2015 filed by Rajamanickam, which have now been dismissed as withdrawn, this Court is inclined to interfere with the impugned order.



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4. Accordingly, the impugned order dated 19.04.2018 is set aside and the matter is remanded back to the respondents for fresh consideration. The respondents shall consider the petitioner's case for incentive increment and pass appropriate orders, on merits and in accordance with law as well as the relevant Government Orders in force, within a period of twelve weeks from the date of receipt of a copy of this order.

The writ petition stands allowed in the above terms. There shall be no order as to costs. Consequently, connected miscellaneous petition is closed.

Index : Yes / No
NCC : Yes / No
gk

08.01.2025

To

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B.PUGALENDHI, J.

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