



W.P.(MD).No.16457 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 20.06.2025

CORAM:

THE HONOURABLE MR.JUSTICE VIVEK KUMAR SINGH

W.P.(MD)No.16457 of 2025

and

W.M.P.(MD)No.12501 of 2025

S.Daisy Joyce

... Petitioner

-VS-

1. The State of Tamil Nadu,
Rep by the Principal Secretary to the Government,
School Education Department,
Secretariat, Chennai – 9.
2. The Financial Advisor and the Principal Accounts Officer,
Directorate of School Education,
DPI Campus, College Road,
Chennai 600 006.
3. The Director of School Education,
DPI Campus, Chennai – 6.
4. The Chief Educational Officer,
Tenkasi District.
5. The District Educational Officer,
Cheranmahadevi,
Tirunelveli District.



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6. The Head Master,
Government Higher Secondary School,
Vellanguli,
Tirunelveli District.

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus calling for the records of the impugned order passed by the 6th respondent vide proceedings in Na.Ka.No. 65/2025 dated 16.04.2025 and quash the same as illegal and consequently direct the respondents to continue to pay the incentive increment.

For Petitioner : Mr.R.J.Karthick

For Respondents : Mr.M.Siddharthan (R1, R3 to R6)

Additional Government Pleader

ORDER

This writ petition has been filed challenging the impugned order passed by the 6th respondent vide proceedings in Na.Ka.No. 65/2025 dated 16.04.2025 with a consequential direction to the respondents to continue to pay the incentive increment.

2. Considering the nature of the order proposed to be passed in this writ petition, notice to the second respondent is dispensed with. Heard the learned counsel on either side.



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3. The petitioner, after passing B.Sc., B.Ed., in regular stream, has applied for the post of BT Assistant and she was also selected and her service was regularized from 01.06.2006. On 18.04.2008, the petitioner received the first increment for holding the qualification of MA (English). The petitioner completed her M.Ed., course in the year 2015. From 13.12.2015, the petitioner was receiving salary with 2nd increment and subsequently, she was promoted as PG Teacher. While this being so, the fourth respondent raised concerns about deficiencies in the work order of the petitioner and requested sixth respondent to send a copy of the evaluation of M.Ed degree and service register and also to send a copy of credibility of M.Ed degree. The fifth respondent vide proceedings dated 01.03.2021 informed the sixth respondent that they cannot evaluate the degree citing that there is no Government Order recognising that an M.Ed., degree obtained from Indira Gandhi National Open Univeristy (IGNOU) is equivalent with the degree obtained from a University in Tamil Nadu. Subsequently, the sixth respondent passed the impugned order dated 16.04.2025 cancelling the incentive increment and directed to pay the amount of Rs.5,48,727/-. Challenging the same, the present Writ Petition has been filed.



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4. This Court has dealt with a similar issue in WP(MD)No.11684 of 2020 dated 22.09.2020, wherein the impugned orders therein were quashed with a direction to the respondents to pass necessary orders after verifying the original certificates for M.Ed., obtained by the petitioner for advance incentive increment and the relevant portion of the order reads as under:-

“19.Though such power is not vested with the District Educational Officer to evaluate the degree awarded by a National University whether to be equivalent or not equivalent to the same or similar type of degree awarded by the university of Tamil Nadu, such a decision has already been taken by the Education Department and an order to that effect also has been passed and the benefit was also given to the teacher concerned. Therefore, that can be an additional reason, as has been pointed out by the learned counsel appearing for the petitioner and 7th respondent that the present reason stated in the impugned order cannot be said to be sustainable one.

20.Therefore, for all these reasons, this Court has no hesitation to hold that the reason assigned in the impugned order does not hold good. Therefore, both the impugned orders passed by the 6th and 4th respondent respectively, are liable to be quashed.

21.In the result, the impugned orders are quashed and the matter is remitted back to the respondents especially, fourth respondent, who shall re-consider the same and pass necessary orders after verifying the original certificates for M.Ed., obtained by the petitioner for advance incentive increment, as



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she claimed and accordingly, orders to that effect shall be passed, within a period of six weeks from the date of receipt of a copy of this order.

22. With this direction, this Writ Petition is ordered, accordingly. No costs. Consequently, connected miscellaneous petition is closed.”

5. In the light of the aforesaid order, the petitioner, whose subject matter is of similar in nature, is entitled to the aforesaid relief. In view of the above, the order impugned in this writ petition is quashed and the matter is remitted back to the respondents especially, fourth respondent, who shall reconsider the same and pass necessary orders after verifying the original certificates for M.Ed., obtained by the petitioner for incentive increment and accordingly, orders to that effect shall be passed, within a period of six weeks from the date of receipt of a copy of this order.

6. With the above direction, this Writ Petition is ordered, accordingly. No costs. Consequently, connected miscellaneous petition is closed.

20.06.2025

NCC : Yes/No
Index : Yes / No
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TO:-

1. The Principal Secretary to the Government,
School Education Department,
Secretariat, Chennai – 9.
2. The Director of School Education,
DPI Campus, Chennai – 6.
3. The Chief Educational Officer,
Tenkasi District.
4. The District Educational Officer,
Cheranmahadevi,
Tirunelveli District.
5. The Head Master,
Government Higher Secondary School,
Vellanguli,
Tirunelveli District.



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Order made in
W.P.(MD)No.16457 of 2025

Dated:
20.06.2025



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W.P.(MD)No.16457 of 2025

and

W.M.P.(MD)No.12501 of 2025

VIVEK KUMAR SINGH, J.

This Writ Petition is listed today under the caption "for being mentioned" at the instance of the learned counsel for the petitioner.

2. The learned counsel appearing for the petitioner submits that in Paragraph 2 of the order dated 20.06.2025, passed in W.P.(MD)No.16457 of 2025, the petitioner's educational qualification has been erroneously mentioned as "B.Sc., B.Ed.," instead of "B.A., B.Ed.," Therefore, the learned counsel prays for necessary corrections in the said order.

3. In view of the above, the Registry is directed to carry out the correction by substituting the petitioner's educational qualification as "B.A., B.Ed.," in place of "B.Sc., B.Ed.," in the order dated 20.06.2025 made in W.P. (MD)No.16457 of 2025 and to issue a fresh copy of the corrected order forthwith.



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4. In all other aspects, the order dated 20.06.2025, passed in W.P.

(MD)No.16457 of 2025, remains unaltered.

11.07.2025

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VIVEK KUMAR SINGH, J.

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