



W.P.(MD)No.17395 of 2025

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 26.06.2025

CORAM:

THE HONOURABLE MR.JUSTICE VIVEK KUMAR SINGH

W.P.(MD)No.17395 of 2025

and

WMP(MD) Nos.13260 and 13262 of 2025

N.Geetha

... Petitioner

-VS-

1. The District Educational Officer,
(Elementary Education),
Dindigul District,
Dindigul.

2. The Block Educational Officer,
Dindigul Urban,
Dindigul District.

3. The Correspondent,
Sowrashtra Sree Varadharaja
(Government Aided) Primary School,
Dindigul Urban,
Dindigul District 624 001.

... Respondent

PRAYER:- Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorari, calling for the records relating to the impugned communication in Na.Ka.No.433/A1/2025 dated 17.06.2025 issued by the second



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respondent read with the impugned order in Na.Ka.No. 1/2025 dated 20.06.2025 issued by the third respondent and quash the same in so far as the petitioner is concerned.

For Petitioner : Mr.T.Antony Arulraj
For Respondent : Mr.M.Siddharthan
Additional Govt. Pleader for R1 and R2

ORDER

The petitioner has filed the present writ petition before this Court, challenging the impugned communication issued by the second respondent in Na.Ka.No.433/A1/2025 dated 17.06.2025, read in conjunction with the impugned order issued by the third respondent in Na.Ka.No.1/2025 dated 20.06.2025.

2. By consent of both parties, the Writ Petition is taken up for final disposal at the admission stage itself. Having regard to the nature of the order proposed to be passed in this writ petition, notice to the third respondent is dispensed with.



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3. The case of the petitioner is that she was appointed as a Secondary Grade Teacher on 24.03.1997 in a Hindu Aided Primary School in Dindigul District and was subsequently transferred to the third respondent school. Thereafter, she was deputed to the Government Higher Secondary School, Dharmathupatti, on 05.07.2024, where she continues to serve.

4. The learned counsel for the petitioner submits that, upon acquiring a higher qualification, the petitioner was granted two incentive increments on 29.12.2012. However, the second respondent later issued a communication to the third respondent stating that the higher qualification was in a different subject, and therefore, the grant of two incentive increments was erroneous. Consequently, the second respondent directed the third respondent to re-fix the petitioner's scale of pay by withdrawing the incentive increments. The petitioner submitted her objection, which was duly forwarded by the third respondent to the second respondent. However, without considering the objection, the third respondent proceeded to re-fix the petitioner's scale of pay by order dated 20.06.2025, which, is in violation of the principles of natural justice and has therefore approached this Court seeking to set aside the said order.



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5. The learned Additional Government Pleader appearing for the respondents fairly submitted that the matter may be remanded back to the respondents 1 and 2 for reconsideration and the respondent will pass a fresh order within a specified time frame.

6. Heard the learned counsel for the parties and perused the materials available on record.

7. Upon considering the submissions made by the learned Additional Government Pleader, this Court finds it appropriate to set aside the impugned order. Accordingly, the impugned orders dated 17.06.2025 and 20.06.2025, are hereby set aside and the matter is remitted back to the respondents 1 and 2. The respondents 1 and 2 are directed to consider the case of the petitioner and pass fresh orders on merits and in accordance with law, after affording an opportunity of personal hearing to the petitioner, within a period of four months from the date of receipt of a copy of this order.



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8. In the result, the Writ Petition stands disposed of. There shall be no order as to costs. Consequently, connected miscellaneous petitions are closed.

NCC : Yes / No
Index : Yes / No
PKN

26.06.2025
1/2

To:-

1. The District Educational Officer,
(Elementary Education),
Dindigul District,
Dindigul.

2. The Block Educational Officer,
Dindigul Urban,
Dindigul District.



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VIVEK KUMAR SINGH, J.

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