



W.P(MD) No.21 of 2018

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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Date : 10.12.2025

CORAM

**THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN
AND
THE HONOURABLE MRS.JUSTICE R.KALAIMATHI**

W.P(MD) No.21 of 2018

B.Manjula

... Petitioner

Vs.

1.The State of Tamil Nadu

Represented by its
Principal Secretary to Government,
School Education Department,
Fort St.George,
Chennai-9.

2.The Director of School Education,
College Road,
Chennai-6.

3.The District Educational Officer,
Virudhunagar District,
Virudhunagar.

4.The Additional Elementary Educational Officer,
O/o the Assistant Elementary Educational Officer,
Rajapalayam,
Virudhunagar District.

... Respondents



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PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, to direct the respondents to sanction one set of incentive increment for possession of M.A., qualification to the petitioner by extending the benefits of G.O.Ms.No.1024, Education Science and Technology Department, dated 09.12.1993 with arrears of pay and allowance and with all other consequential benefits.

For Petitioner : Mr.M.Saravanakumar

For Respondents : Mr.T.Amjadh Khan
Government Advocate

ORDER

(Order of the Court was made by **G.R.SWAMINATHAN, J.**)

Heard both sides.

2. The writ petitioner was working as BT Assistant in a Panchayat Union Middle School. She sought conferment of the third incentive increment for having acquired MA degree. Since her request was not considered, this writ petition came to be filed.



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3. This issue is no longer *res integra*. The Hon'ble Full Bench had already settled the issue in W.A.No.3674 of 2019 etc., batch on 29.04.2022. The Hon'ble Full Bench was called upon to answer the reference on the following question:-

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

The reference was answered in the following terms:-

“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 Vs. 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 good** and the view taken by the Division Bench in W.A.(MD)Nos.701 & 769 of 2015, etc, dated 15.07.2015 (The Director of School Education and others Vs. 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 Vs. N.Balasoundari and another) that a



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teacher is entitled to the third set of incentive increment, **cannot be said to be a good law.** We answer the reference accordingly.”

4. Since conferment of the third incentive increment cannot be granted, the question of granting relief to the petitioner does not arise.

The Writ Petition is dismissed. No costs.

(G.R.S., J.) (R.K.M., J.)
10.12.2025

Index : Yes / No
Internet : Yes / No
NCC : Yes / No
rmi

To

1.The Principal Secretary to Government,
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AND
R.KALAIMATHI, J.

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