



W.A.(MD)No.1621 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 29.07.2025

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**THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN
and
THE HONOURABLE MR.JUSTICE K.RAJASEKAR**

**W.A.(MD)No.1621 of 2024
and
C.M.P.(MD)No.12683 of 2024**

1.The District Educational Officer (Elementary),
District Educational Office,
Karur, Karur District.

2.The Block Educational Officer,
Kulithalai, Karur,
Karur District.

... Appellants

Vs.

S.Lilly Sahaya Sundari

... Respondent

Prayer : Writ Appeal filed under Clause XV of Letters Patent, to allow the writ appeal by setting aside the order passed in W.P.(MD)No.9706 of 2024 dated 23.04.2024 on the file of this Court.

For Appellants : Mr.C.Venkateshkumar,
Spl. Government Pleader.

For Respondent : Ms.A.Amala



W.A.(MD)No.1621 of 2024

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JUDGMENT
(By G.R.SWAMINATHAN, J.)

Heard both sides.

2.The department is on appeal assailing the order dated 23.04.2024 passed by the learned Single Judge allowing W.P.(MD)No.9706 of 2024. The writ petitioner was originally appointed as Secondary Grade Teacher. She was then promoted as Primary School Headmistress. Then, she became B.T.Assistant. Thereafter, she was promoted as Middle School Headmistress. In December 2012, she acquired B.Ed. degree and parallelly, she acquired M.A. Tamil degree in May 2013. The department had originally conferred incentive increment to the writ petitioner for acquiring B.Ed. degree and M.A. History. The writ petitioner reached the age of superannuation on 29.02.2024. On the eve of her retirement, it was realized that for acquiring B.Ed. degree, incentive increment should not have been granted. Hence, the Block Educational Officer, Kulithalai issued proceedings dated 21.01.2024 re-fixing her pay and also ordering recovery. Challenging the same, W.P.(MD)No.9706 of 2024 was filed by



W.A.(MD)No.1621 of 2024

the respondent and it was allowed by the learned Single Judge.

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Questioning the same, this writ appeal has been filed.

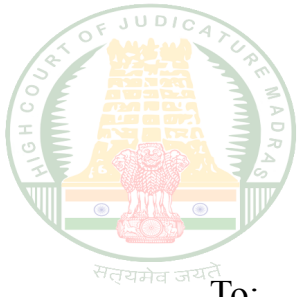
3.We have already held vide order dated 29.07.2025 made in W.A.(MD)Nos.498 of 2023 and batch that a person working as Middle School Headmaster can be given incentive increment only for acquiring M.Ed. degree and not B.Ed. degree. Therefore, the re-fixation of her pay was rightly done. Interference with the said order was not warranted. However, recovery should not have been effected. Therefore, we confirm the order of the learned Single Judge to the extent that recovery was forbidden.

4.The order of the learned Single Judge is modified and the writ appeal is partly allowed. No costs. Consequently, connected miscellaneous petition is closed.

(G.R.S. J.,) & (K.R.S. J.,)
29.07.2025

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3/6



W.A.(MD)No.1621 of 2024

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W.A.(MD)No.1621 of 2024



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W.A.(MD)No.1621 of 2024

G.R.SWAMINATHAN, J.
and
K.RAJASEKAR, J.

ias

W.A.(MD)No.1621 of 2024

29.07.2025
(2/2)