



W.P(MD).No.20352 of 2022

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 27.01.2025

CORAM:

THE HONOURABLE MR JUSTICE B.PUGALENDHI

W.P(MD).No.20352 of 2022

and

W.M.P(MD).No.14748 of 2022

Gnanasekaran

.. Petitioner

Vs.

1.The Chief Education Officer,
Thanjavur,
Thanjavur District.

2.The Head Master,
Government Higher Secondary School,
Kasanaduputhur,
Thanjavur District.

.. Respondents

Prayer: Petition filed under Article 226 of the Constitution of India, praying for issuance of Writ of Certiorarified Mandamus, to call for the records of the respondent No.1 by his proceedings in Mu.Mu.No. 3415/A2/E1/2017 dated 26.03.2021 and consequently direct the respondents to sanction incentive increment to the petitioner for his M.Phil., qualification forthwith.



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W.P(MD).No.20352 of 2022

For Petitioner : M/s.Arun Prasad.A
Advocate

For Respondents : Mr.K.Balasubramani
Special Government Pleader

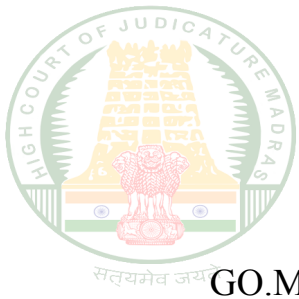
ORDER

Challenging the refusal of incentive increment, the Petitioner has filed this Writ Petition.

2. The Petitioner was appointed in a Government High School, Ramanujapuram, Kumbakonam Taluk, Thanjavur District. He studied M.Phil Degree and obtained a degree in the year 2017. Based on this degree, he made a request for incentive increment, however the same was rejected.

3. This Court has considered the rival submissions advanced by the learned counsel for the Petitioner and the learned Special Government Pleader for the Respondents and perused all the materials available on record.

4. This Court has already taken a decision on a similar request made in the case of **C.Murugan Vs. The Secretary to Government and Ors.** [W.P.(MD).No.4294 of 2021] that the M.Phil degree, if any, pursued through distance education cannot be a valid degree after the issuance of



W.P(MD).No.20352 of 2022

WEB COPY

GO.Ms.No.91, Higher Education Department dated 03.04.2009. By the said government order, the Government has taken a decision that courses like M.Phil/Ph.D should not be offered through distance education and they should be offered only in the regular stream.

5. The Government has also stated that the degrees like M.Phil and Ph.D obtained through Correspondence/Distance Education/Open University are ineligible for appointment as Lecturers in the Colleges and Universities. The Petitioner is said to have obtained this M.Phil Degree in the year 2016 after the issuance of the said GO.

6. In view of the above decision already taken by this Court in a similar matter cited *supra* and also in view of the G.O.Ms.No.91, Higher Education Department dated 03.04.2009, this Court is not inclined to entertain this Writ Petition and accordingly, this Writ Petition is dismissed. No costs. Connected Writ Miscellaneous Petition is closed.

27.01.2025

NCC : Yes/No
Index : Yes/No
Internet : Yes
nst



W.P(MD).No.20352 of 2022

WEB COPY

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W.P(MD).No.20352 of 2022

B.PUGALENDHI, J.

nst

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