



W.A(MD)No.2467 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 28.07.2025

CORAM

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

**W.A(MD)No.2467 of 2024
and
C.M.P(MD)Nos.17259 of 2024 & 5151 of 2025**

- 1.The Government of Tamil Nadu,
Represented by its
Secretary to Government,
Department of Backward Classes,
Most Backward Classes and
De-notified Communities and
Minorities Welfare,
Secretariat,
Saint George Fort,
Chennai – 9.
- 2.The Government of Tamil Nadu,
Represented by its
Secretary to Government,
Department of Finance,
Saint George Fort,
Chennai.
- 3.The Commissioner / The Director,
Most Backward and
Denotified Communities Welfare Department,
Ezhilagam,
Chennai – 600 008.



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4.The Joint Director,
Kallar Reclamation,
Madurai.

... Appellants /
Respondents

Vs.

1.D.Arulvijay
2.A.Olipraba
3.S.Gomathi
4.K.Indhumathi
5.M.Balamurali
6.R.Jeyakrishnan
7.E.Vasantha Priya
8.M.Latha
9.C.Chandramohan
10.K.Marimuthu
11.P.Arulbabu (Died)
12.S.Ruban Nelson Kumar
13.M.Tamilselvan
14.S.Sarasu
15.R.Suresh Kumar

... Respondents /
Writ Petitioners

16.P.Periyasamy
17.D.Leelavathy
18.Rani
19.A.R.Ashvita

***(Respondents 16 to 19 / LRs of the
deceased 11th Respondent are substituted
vide Court order dated 11.07.2025 made
in C.M.P(MD)No.3380 of 2025 in
W.A(MD)No.2467 of 2024)***

... Respondents

Prayer: Writ Appeal filed under Clause 15 of the Letters Patent to set aside the judgment dated 28.07.2023 in W.P(MD)No.7138 of 2023 on the file of this Court.



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For Appellants : Mr.J.Ravindran
Additional Advocate General
Assisted by
Mr.C.Venkatesh Kumar
Special Government Pleader

For Respondents : Mr.G.Chandrasekar
for R.1 to R.10, R.12 to R.15

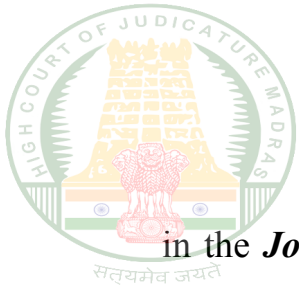
JUDGMENT

(By G.R.SWAMINATHAN, J.)

The State is on appeal challenging the order dated 28.07.2023 made in W.P(MD)No.7138 of 2023.

2.The writ petitioners are teaching staff working in various higher secondary schools run by Kallar reclamation. They sought incentive increment for acquiring higher qualification. The request was rejected on the ground that prior permission was not obtained before obtaining higher qualification. Challenging the stand of the department, the aforesaid writ petition was filed and the same was allowed.

3.The issue raised in this Writ Appeal is no longer *res integra*. It has been consistently held that obtaining prior permission is not necessary. Our attention is drawn to the decision of the Hon'ble Division Bench of this Court



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in the ***Joint Director of School Education Vs. S.Vasugi*** in ***W.A(MD)No.1124***

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of 2023 dated 24.07.2023 where after referring to the earlier judgments in ***Tamil Rajan Vs. The State of Tamil Nadu, Represented by its Secretary Department of School Education, Chennai – 9*** in ***W.P(MD)No.4019 of 2018*** it was held that no prior permission is required for obtaining higher qualification.

4.The learned Single Judge passed the order in line with the aforesaid Division Bench decision. Eight more weeks is granted to comply with the order of the learned Single Judge. There is no merit in this Writ Appeal.

5.This Writ Appeal stands dismissed. There shall be no order as to costs. Consequently, connected miscellaneous petitions are closed.

[G.R.S., J.] [K.R.S., J.]
28.07.2025

NCC : Yes / No
Internet : Yes / No
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and

K.RAJASEKAR, J.

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