



WEB COPY



Rev.APLC(MD)No.49 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Dated : 22.10.2025

CORAM

THE HONOURABLE MR. JUSTICE C.V.KARTHIKEYAN

and

THE HONOURABLE MR.JUSTICE R.VIJAYAKUMAR

Rev.APLC(MD) No. 49 of 2022

1.The Government of Tamil Nadu
Represented by its Secretary to Government,
(School Educational and Elementary
Educational Department)
Fort St.George, Chennai – 600 009.

2.The District Educational Officer,
Sivakasi, Virudhunagar District.

...Review Applicants/Appellants
.Vs.

1.S.Govindan
Secondary Grade Teacher,
Nadar Higher Secondary School,
Watrap – 626 132,
Virudhunagar District.

2.The Secretary,
Nadar Higher Secondary School,
Watrap – 626 132,
Virudhunagar District.

...Respondents/Respondents

Prayer:-This Review Application is filed under Order 47 Rule 1 and 2 read with Section 114 of CPC to review the order dated 08.07.2021 passed in WA(MD)No.1299 of 2020.



Rev.APLC(MD)No.49 of 2022

For petitioner : Mr.P.Thiraviyam

Government Advocate

For R1 : Mr.T.Pon Ramkumar

ORDER

(Order of the court was made by R.VIJAYAKUMAR. J.)

The appellants in W.A(MD)No.1299 of 2020 have filed this review application seeking to review the order passed by this Court on 08.07.2021.

2. The writ petitioner/R1, herein who is having B.Sc., B.Ed., qualification, was appointed as the Secondary Grade Teacher. Later, after acquiring M.A degree in History, he made a request for granting incentive increment. The said request was rejected primarily on the ground that in the appointment order, there is a condition that he should not seek incentive increment for acquiring higher qualification. This order was put to challenge in W.P(MD)No.58 of 2019. The said writ petition came to be allowed by this Court on 28.02.2020.

3. The State filed W.A(MD)No.1299 of 2020 and the writ appeal came to be dismissed on 08.07.2011 Challenging the said order, the present review application has been filed.



Rev.APLC(MD)No.49 of 2022

WEB COPY

4. According to the learned Government Advocate, the writ petitioner, who had acquired the qualification of B.Sc., B.Ed., at the time of appointment as the Secondary Grade Teacher, was appointed with a specific condition that he should not seek incentive increment. In such circumstances, the order of the co-ordinate bench requires re-consideration.

5. We are not in agreement with the said contention. The said condition was imposed in the appointment order only to see that having appointed in the post of Secondary Grade Teacher, the writ petitioner cannot seek incentive increment for having acquired B.Ed., degree. However, the writ petitioner had acquired M.A degree and therefore, this condition imposed in the appointment order cannot be cited as a legal bar.

5. In view of the reasons, we do not find any reason to review the order passed in WA(MD)No.1299 of 2020 dated 08.07.2021. Hence, this review application is dismissed.

(C.V.K., J.) (R.V., J.)
22.10.2025



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**C.V.KARTHIKEYAN,J.
and
R.VIJAYAKUMAR,J.**

CM

Rev.APLC(MD) No. 49 of 2022

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