



WP(MD)No.35026 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 10.12.2025

CORAM:

THE HONOURABLE MR.JUSTICE **B.PUGALENDHI**

WP(MD)No.35026 of 2025
and
WMP(MD)Nos.5413 and 5414 of 2025

C.Krishnakumari

...Petitioner

Vs

- 1.The Government of Tamil Nadu,
rep by Secretary to Government,
School Education Department,
Fort St George, Chennai – 600 009.
- 2.The Chief Educational Officer,
District Education Office,
Theni District – 625531.
- 3.The District Educational Officer,
District Education Office, Theni District.
- 4.The Principal Accountant General,
Office of the Principal Accountant General,
Annasalai, Chennai.
- 5.Financial Advisor and Chief Accounts Officer,
Directorate of School Education,
DPI campus, Chennai-06.
- 6.The Headmaster,
Aankoor, Rowther Government Girls' Hr Sec. School,
Cumbum, Theni.

...Respondents



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Prayer: Writ Petition filed under Article 226 of the Constitution of India to issue a writ of certiorarified mandamus calling for the records pertaining to the impugned order passed by the 6th respondent vide Na.Ka.No.66 of 2025 dated 16.07.2025 and to quash the same as illegal, arbitrary and consequently to direct the respondents to reimburse the deducted sum of Rs.3,20,347/- from the terminal benefits of the petitioner.

For Petitioner : Mr.S.Ramanathan

For Respondent : Mr.M.Sarangan,
Nos.1 to3, 5 & 6 Additional Government Pleader

For Respondent : Mr.P.Gunasekaran
No.4

ORDER

The petitioner is a retired secondary grade Teacher. She was provided with incentive increment for acquiring qualification of Master of Arts. The petitioner has acquired this post graduation through open university, without acquiring under graduation. This was noticed in the year 2024 during the audit and therefore the respondents have also recovered the amount paid to the petitioner. However, the order of recovery has been passed without providing notice to the petitioner. Challenging the same the petitioner has filed this writ petition seeking reimbursement of the amount recovered from the petitioner.



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2.This court has considered the rival submissions made

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3.Admittedly the petitioner has acquired the master degree without possessing undergraduate degree. This master degree acquired through open stream is not eligible for getting incentive increment. Though the respondents have provided the incentive increment for this master degree, they have recovered the same from the petitioner without providing any opportunity to the petitioner. On this limited ground, this writ petition is allowed. The impugned order is set aside with a direction to the respondents to issue notice, provide an opportunity to the petitioner and thereafter pass suitable orders. Let this exercise be done within a period of three months from the date of receipt of a copy of this order. No costs. Consequently connected miscellaneous petitions are closed.

10.12.2025

DSK



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B.PUGALENDHI.J.,

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