



WEB COPY

W.P. No. 7505 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 05-03-2026

CORAM

THE HON'BLE MS. JUSTICE P.T. ASHA

W.P. No. 7505 of 2026

and

W.M.P. Nos. 8088 and 8092 of 2026

Karthikeyan.S
S/o. C.N. Subramanian,
6 Tea Shop Lane, Amman Kovil Street,
Pallipalayam, Namakkal District -638 006

..Petitioner

Vs

1. The State of Tamil Nadu
Rep. by its Secretary to Government,
School Education Department,
Fort, St. George, Chennai-600 009.
2. The Director of Elementary Education
O/o. The Director of Elementary Education,
College Road, Chennai-600 006
3. The District Educational Officer (Elementary)
O/o. The District Educational Officer,
Namakkal, Namakkal district.
4. The Additional Assistant Elementary Educational
Officer,
O/o. The Assistant Elementary Educational
Officer, Pallipalayam Block, Pallipalayam,
Namakkal District-638 006
5. The Block Educational Officer
O/o. The Block Educational Officer,
Pallipalayam Block, Pallipalayam,
Namakkal District-638 006



..Respondents

Prayer: The Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Certiorarified Mandamus, calling for the records of the 2nd Respondent proceedings having Ref. No.Na.Ka.No.028490/E1/2024 dated 17.06.2025 raising audit objection to the grant of incentive increment to the petitioner for the period from 17.12.2012 and 02.07.2013 for obtaining the B.Sc. (Computer Science) B.Ed. and MSc. (Computer Science) Degree respectively and of the 5th respondent proceedings having Reg. No.Na.Ka.No.1008/A1/2025 dated 20.06.2025 ordering recovery of the incentive increment granted to the petitioner from 17.12.2012 and 02.07.2013 respectively and re-fixation of the pay scale of the Petitioner and quash the same as arbitrary and consequently direct the Respondents to continue to pay the incentive increment to the Petitioner for obtaining B.Sc. (Computer Science) B.Ed., and MSc.(Computer Science) Degree.

For Petitioner:

Ms.K.Chandra

For Respondents:

Mrs. Mythree Chandru
Special Government Pleader

ORDER

The present Writ Petition has been filed for the issuance of a Writ of Certiorarified Mandamus, calling for the records of the 2nd Respondent proceedings having Ref. No.Na.Ka.No.028490/E1/2024 dated 17.06.2025 raising audit objection to the grant of incentive increment to the petitioner for the period from 17.12.2012 and 02.07.2013 for obtaining the B.Sc. (Computer Science) B.Ed. and M.Sc. (Computer Science) Degree respectively and of the 5th respondent proceedings having Reg. No.Na.Ka.No.1008/A1/2025 dated 20.06.2025 ordering recovery of the incentive increment granted to the



petitioner from 17.12.2012 and 02.07.2013 respectively and re-fixation of the pay scale of the petitioner and quash the same as arbitrary and consequently direct the Respondents to continue to pay the incentive increment to the Petitioner for obtaining B.Sc. (Computer Science) B.Ed., and M.Sc.(Computer Science) degree.

2. The case of the petitioner is that he was appointed as a Secondary Grade Teacher in Panchayat Union Elementary School, Kandipudur, Pallipalayam, Namakkal District on 17.12.2012 and is presently working in the same school. The petitioner submits that he acquired a B.Sc. degree in Computer Science April, 2005, and completed B.Ed. in June, 2009. He had also completed M.Sc (Computer Science) prior to his appointment and obtained the degree from Annamalai University in May, 2013.

3. The petitioner further submits that the 4th respondent, vide proceedings dated 28.11.2014, granted the first incentive for obtaining B.Sc., B.Ed and the second incentive for obtaining the M.Sc. Degree. While so, the second respondent, vide proceedings dated, 17.06.2025, has directed the respective educational authorities to cancel the incentive granted to the teachers who obtained the incentive increment other than the permitted subjects. Accordingly, the 5th respondent, vide proceedings dated, 20.06.2025, cancelled the incentive increments granted to the petitioner and thereby, ordered for revision of pay and



recovery of the incentive increments granted from 17.12.2012 and 02.07.2013, respectively.

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4. The petitioner further submits that the 2nd respondent erred in placing reliance of the proceedings dated 24.08.2016. The said proceedings were issued only on 24.08.2016, whereas the petitioner was sanctioned increment with effect from 17.12.2012 and 02.07.2013. Thus, the proceedings of the Director having been issued only in the year 2016, will have no application in respect of the increments already sanctioned to the petitioner and hence, the same is liable to be interfered with by this Court.

5. The impugned order has been passed withdrawing incentive increments granted to the petitioner for having obtained B.Sc., (Computer Science), B.Ed, and M.Sc. (Computer Science) on the ground that he teaches only in a primary school and not in a higher secondary. Such a decision is contrary to the language of the Government Order in G.O.Ms.No.324 dated 25.04.1995. The Government in the aforesaid Government Order had decided to stipulate higher secondary syllabus subjects as “*relevant subjects*” for the purpose of sanctioning incentive increment.



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6. In paragraph 5 (ii) of the said Government Order, the Secretary to Government would state as follows:

“For the sanction of incentive increments the subjects in the Higher Secondary Syllabus shall be the relevant subjects.

7. A reading of the above would clearly show that qualification in any of the subjects in the higher secondary syllabus would constitute a relevant subject.

8. Admittedly, Computer Science forms part of the higher secondary syllabus. The petitioner has admittedly obtained the qualification of B.Sc., (Computer Science), B.Ed, and M.Sc. (Computer Science).

9. In a similar case, the Division Bench of this Court in W.A.No.2747 of 2023 dated 28.03.2025, observed as follows:

“Today the entire scheme for incentive increments has been withdrawn but the issue as to whether the said withdrawal can be prospective and it cannot operate retrospectively still lingers. We do not see the need to go into the said issue as it is not germane to the facts on hand. Here the respondent has completed M.A. (Economics) in May 2010 and B.Ed in December 2015. Therefore, she is entitled to two sets of advance incentive increments for these two higher qualifications obtained by her. The question of whether MA (Economics) would be useful to the School students or not cannot be gone into by us, as the Government, in its wisdom, had



in GO.(Ms).No.324 dated 25.04.1995, consciously decided to confer the benefit of the incentive increments on all teachers who obtained higher qualifications in any subject found in the higher secondary syllabus.

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10. The above discussion would apply on all fours to the present case. Hence, this Writ Petition is allowed and the impugned order is quashed and the respondents are directed to grant incentive increments for obtaining the B.Sc. (Computer Science) B.Ed. and M.Sc. (Computer Science) degrees to the petitioner continuously, with all consequential benefits and arrears. There shall be no order as to costs. Consequently, connected Miscellaneous Petitions are closed.

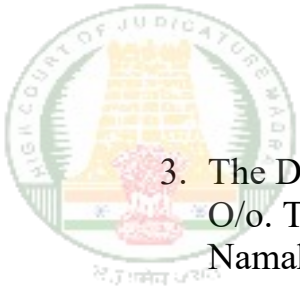
05-03-2026

Index: Yes/No
Speaking/Non-speaking order
Neutral Citation: Yes/No

Asi

To:

1. The Secretary to Government,
School Education Department,
Fort, St. George, Chennai-600 009.
2. The Director of Elementary Education
O/o. The Director of Elementary Education,
College Road, Chennai-600 006



3. The District Educational Officer (Elementary)
O/o. The District Educational Officer,
Namakkal, Namakkal District.

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4. The Additional Assistant Elementary Educational
Officer,
O/o. The Assistant Elementary Educational
Officer,
Pallipalayam Block, Pallipalayam,
Namakkal District-638 006
5. The Block Educational Officer
O/o. The Block Educational Officer,
Pallipalayam Block, Pallipalayam,
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P.T.ASHA J.

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