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WP No. 3109 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 03-02-2026

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THE HON'BLE MR JUSTICE M.DHANDAPANI

WP No. 3109 of 2026

K.Govindarajan
S/o.S.Krishnasamy,
No.1/54, Mariyamman Kovil Street,
Puduchatram (po),
Namakkal tk and DT-637 013

..Petitioner(s)

Vs

1. The Government of Tamil Nadu
Rep. by its Secretary,
Micro, small and Medium Enterprises
Department,
Fort St. George, Chennai-9
2. The Industries Commissioner and
Director of Industries and commerce,
3rd Floor, SIDCO Head office buildings,
Thiru.Vi.Ka. Industrial Estate,
Guindy, Chennai-25

..Respondent(s)

Writ Petition filed under Article 226 of the Constitution of India, seeking issuance of a Writ of Mandamus, directing the respondents to grant two advance increments to the petitioner for acquiring M.E degree in Mechanical Engineering with effect from 20.01.1990 the date of joining as Assistant Engineer under the 2nd respondent within a time frame as may be fixed by this Court.

For Petitioner(s): Mr.N.Subramaniyan

For Respondent(s): Mr.M.Rajendiran
Additional Government Pleader



ORDER

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This Writ Petition has been filed seeking a direction to the respondents to grant two advance increments to the petitioner for acquiring M.E degree in Mechanical Engineering with effect from 20.01.1990, the date of joining as Assistant Engineer under the 2nd respondent.

2. Mr.M.Rajendiran, learned Additional Government Pleader takes notice on behalf of the respondents. In view of the consent expressed by the learned counsel on either side, the Writ Petition is taken up for final disposal at the stage of admission itself.

3.1 The petitioner joined Government service as an Assistant Engineer under the second respondent on 20.01.1990 and retired as General Manager Grade-I on 30.06.2016. Prior to joining service, the petitioner had acquired M.E. Degree in Mechanical Engineering from P.S.G. College of Technology, Coimbatore.

3.2 According to the petitioner, under the policy then in force, employees possessing Post Graduate qualification in Engineering were entitled to two advance increments. Though the petitioner and his colleagues had made



representations seeking such benefit, the request was rejected by the first respondent by letter dated 20.05.2015.

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3.3 Subsequently, similarly placed persons challenged the said rejection order before this Court in W.P.Nos.36995 to 36997 of 2015 and this Court by order dated 30.04.2024 allowed the writ petitions and directed the respondents to grant two advance increments. Following the said order, the petitioner submitted a representation dated 13.08.2024 seeking similar relief. Since the same was not considered, the present writ petition has been filed.

4. The learned counsel for the petitioner submitted that the petitioner had acquired M.E. Degree even prior to entering service and was therefore entitled to two advance increments under the policy then in force. It was further submitted that similarly placed persons had already approached this Court and by order dated 30.04.2024 in W.P.Nos.36995 to 36997 of 2015, this Court had quashed the rejection order dated 20.05.2015 and directed grant of two advance increments. The learned counsel would therefore submit that the petitioner is similarly placed and hence the respondents are bound to extend the same benefit to the petitioner as well.

5. The learned Additional Government Pleader appearing for the respondents submitted that as per G.O.Ms.No.95 dated 26.10.2023, incentive



increments for acquiring higher qualifications will not be available for qualifications which are prescribed as essential or desirable qualifications under the recruitment rules for the post. It was further submitted that no incentive shall be granted for acquiring higher qualification purely on academic or literary subjects. He also submitted that the petitioner retired from service in the year 2016 and after a lapse of about nine years, the petitioner has made a representation seeking incentive increments and therefore, the writ petition is liable to be dismissed on the ground of delay and laches.

6. This Court finds that the petitioner retired from service in the year 2016 and the representation seeking grant of incentive increments has been made only in the year 2024, after a considerable lapse of time. In view of the inordinate delay and laches in approaching the respondents and this Court, the relief sought for by the petitioner cannot be entertained.

7. Accordingly, the writ petition stands dismissed on the ground of delay and laches. No Costs.

03-02-2026

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



To

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M.DHANDAPANI, J.

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