



W.A.(MD)No.417 of 2021

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 09.01.2026

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**THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN
and
THE HONOURABLE MRS.JUSTICE R.KALAIMATHI**

**W.A.(MD)No.417 of 2021
and
C.M.P.(MD)Nos.1596 and 8138 of 2021**

The Assistant Elementary Education Officer,
Vadamadurai,
Dindigul District.

... Appellant

Vs.

1.S.Arockiadas (Died)

2.Lilly Pushpha Mary

3.A.I.Glory

4.A.Jose Inigo

... Respondents

*(R2 to R4 are impleaded vide order dated
30.01.2025 in C.M.P.(MD)No.8136 of 2021 in
W.A.(MD)No.417 of 2021 by GRSJ & RPJ)*

Prayer : Writ Appeal filed under Clause XV of Letters Patent, to allow the writ appeal by setting aside the order passed in W.P.(MD).No.18466 of 2015 dated 29.01.2020 on the file of this Court.



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For Appellant : Mr.T.Amjadkhan,
Government Advocate.

For Respondents : Mr.M.Jerin Mathew

JUDGMENT
(By G.R.SWAMINATHAN, J.)

Heard both sides.

2.The Education Department has filed this writ appeal questioning the order dated 29.01.2020 passed by the learned Single Judge allowing W.P.(MD)No.18466 of 2015 filed by S.Arockiadas. During the pendency of this writ appeal, S.Arockiadas passed away and his legal heirs have come on record.

3.S.Arockiadas joined the Education Department as Secondary Grade Teacher in the year 1984. He got selection grade in the year 1994. He became Elementary School Headmaster in the year 1999. He became Middle School Headmaster in the year 2004. He obtained B.Litt. degree in the year 2004 and M.A. degree in the year 2014. For obtaining M.A.



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degree, he sought incentive increment. Since his request was rejected, he filed W.P.(MD)No.18466 of 2014. The learned Single Judge allowed the writ petition by invoking G.O.(Ms)No.107 Education Department dated 20.01.1976. Paragraph No.3 of the said government order reads as follows:-

“3.In modification of para 2 (ii) above, the Government now issue revised orders to the the following effct.

Tamil Pandits Grade I, who do not have to possess B.T. for initial appointment, and Grade II Tamil Pandits may be allowed two incentive advance increments either for B.T. or for M.A. Advance increments may be allowed for a second time for such teacher, who after passing B.T. possess M.A., or after passing M.A. passes B.T. Advance increments shall not be allowed to them for passing M.Ed.”

A bare look at the aforesaid government order would indicate that it applies to Tamil Pandits Grade I and Grade II who obtained the additional qualifications. Admittedly, S.Arockiadas was never a Tamil Pandit. Therefore, invoking the said government order is clearly misconceived.



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4. In this view of the matter, the order of the learned Single Judge is set aside and the writ appeal is allowed. No costs. Consequently, connected miscellaneous petitions are closed.

(G.R.S. J.) & (R.K.M. J.)
09.01.2026

NCC : Yes/No
Index : Yes / No
Internet : Yes/ No
ias

To:

The Assistant Elementary Education Officer,
Vadamadurai,
Dindigul District.



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G.R.SWAMINATHAN, J.
and
R.KALAIMATHI, J.

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