



W.P.(MD)No.24574 of 2025

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 09.04.2026

CORAM:

THE HONOURABLE MR.JUSTICE MUMMINENI SUDHEER KUMAR

W.P.(MD)No.24574 of 2025

and

W.M.P(MD)No.19271 of 2025

M.Pandiarani

... Petitioner

Vs.

1.The Director of Elementary School Education,
College Road
Chennai-6.

2.The District Elementary Educational Officer
Dindigul District
Dindigul.

3.The Block Educational Officer - I
O/o the Block Educational Officer
Natham Post
Dindigul District.

4.The Accountant General
Office of the Accountant General (A and E)
361, Anna Salai
Teynampet
Chennai 600 018.

... Respondents



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PRAYER : Petition filed under Article 226 of the Constitution of India, to issue a WRIT OF Certiorarified Mandamus, to call for the records in pursuant to the Impugned order passed by the 4th respondent in proceedings No.E17/5/11732143/ADK dated 07.07.2025, and quash the same and consequently direct the Respondents to sanction the all attendant and retirement benefits based on the proposal submitted by the 3rd Respondent in Na.Ka.No.1681/A1/2023 dated 15.05.2025 within a stipulated time may be fixed by this Court with interest.

For Petitioner	:	Mr.M.Saravanakumar
For R1 to R3	:	Mr.N.Satheesh Kumar
		Additional Government Pleader
For R4	:	Mr.P.Gunasekaran
		standing counsel

ORDER

This Writ Petition has been filed seeking for a Writ of Certiorarified Mandamus, calling for the records relating to the proceedings No.E17/5/11732143/ADK, dated 07.07.2025, passed by the fourth respondent, quash the same and also sought for a consequential direction for the respondents to sanction all the attendant and retirement benefits based on the proposal submitted by the third respondent in Na.Ka.No. 1681/A1/2023, dated 15.05.2025.



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2.The petitioner herein, who was initially appointed as Secondary Grade Teacher on 08.12.2000 acquired B.A. (Economics) and M.A. (Economics) degrees, as additional qualifications and made a claim for grant of incentive increments for the same. Accordingly, incentive increments were granted to the petitioner on 16.11.2010. It was thereafter the petitioner attained the age of superannuation on 31.10.2022 and when processing the pension papers of the petitioner, it was noticed by the fourth respondent that the grant of incentive increments to the petitioner is erroneous and accordingly, issued proceeding bearing Na.Ka.No.427/A1/2023, dated 27.02.2023.

3.Aggrieved by the said proceeding, dated 27.02.2023, the petitioner filed W.P.(MD) No.13681 of 2023 before this Court and this Court having upheld the said proceeding, set aside the recovery ordered under the said proceedings, by order dated 13.11.2024. The said order dated 13.11.2024 has become final. However, notwithstanding the said order dated 13.11.2024, the third respondent herein appears to have re-submitted the pension proposals of the petitioner once again by giving the benefit of the incentive



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increments, which were subject matter of W.P.(MD) No.13681 of 2023, purportedly in the light of the orders passed by a Division Bench of this Court in W.A.Nos.2747 of 2023 and 999 of 2024, to which, the petitioner herein is not a party, to the fourth respondent. The fourth respondent, on considering the same, returned the said proposals by passing the impugned proceedings.

4.For the purpose of clarity, it would be appropriate to extract the relevant portion from the impugned proceedings, dated 07.07.2025.

“with reference to your representation dated 01.05.2025, it is stated as follows:

1.In your representation, you have sought for the revision of pensionery benefits by granting incentive increments on the basis of the order dated 17.02.2025 in WA No.225/2025 and orders dated 28.03.2025 in WA No.2747/2023 and WA No.999/2024.

2.The proposals for revision forwarded by the Department in letter No. 1681/A1/23 dated 23.03.2025 was returned on 03.04.2025 without admitting the revised pensionery benefits in view of the specific rejection of your claim by the High Court of Madras in WP (MD) No.13681/2023 filed by you, by the order dated 13.11.2024.



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3.Neither you nor this office is a party in the Writ Appeals referred by you in the representation dated 01.05.2025.

Therefore, your claim for revision of pension cannot be entertained.”

5.Heard Mr.M.Saravanakumar, learned counsel for the petitioner, Mr.N.Satheesh Kumar, learned Additional Government Pleader for the respondents 1 to 3 and Mr.P.Gunasekaran, learned standing counsel for the fourth respondent.

6.The incentive increments that were granted in favor of the petitioner as early as on 16.11.2010 were admittedly withdrawn through proceedings dated 27.02.2023 and the said proceedings dated 27.02.2023 was upheld by this Court in W.P.(MD) No.13681 of 2023, dated 13.11.2024, except to the extent of recovery orders. Once that proceeding dated 27.02.2023 was upheld by this Court and the said order of the learned single Judge dated 13.11.2024 has attained finality, the action of the third respondent in once again extending the benefit of incentive increments, notwithstanding the order passed by this Court, is contemptuous in nature. The question of extending the benefit of the order dated 28.03.2025 passed in W.A.Nos.2747



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of 2023 and 999 of 2024, to which the petitioner is not a party, is totally erroneous and is a deliberate, fraudulent action on the part of the third respondent and the very reason that is mentioned as basis for issuing the impugned proceedings.

7.In such circumstances, this Court does not find any error or illegality in the impugned proceeding bearing No.E17/5/11732143/ADK, dated 07.07.2025, passed by the fourth respondent.

8.Accordingly, the Writ Petition stands dismissed. No costs. Consequently, connected Miscellaneous Petition is closed.

09.04.2026

Neutral Citation: Yes / No
Index : Yes / No

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MUMMINENI SUDHEER KUMAR, J.

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