



W.A(MD) No.1008 of 2021

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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Date : 20.02.2026

CORAM

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

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&

C.M.P.(MD)No.4553 of 2021

1.The Director of School Education,
O/o Directorate of School Education,
DPI Compound,
College Road,
Chennai.

2.The Chief Educational Officer,
O/o The Chief Educational Officer,
Virudhunagar District,
Collectorate Campus,
Virudhunagar.

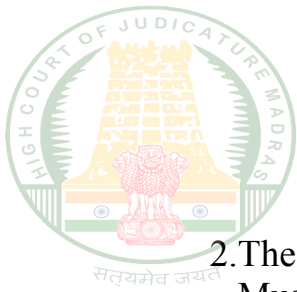
3.The District Educational Officer,
Sivakasi Educational District,
Sivakasi,
Virudhunagar.

... Appellants / Respondents

Vs.

1.N.Mahendran

... 1st Respondent / Writ Petitioner



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2. The Secretary,
Muslim Higher Secondary School,
45, Seethakathi Street,
Sivakasi-626 123,
Virudhunagar District.

... 2nd Respondent / 4th Respondent

PRAYER: Writ Appeal filed under Clause 15 of the Letters Patent praying this Court to set aside the order dated 15.02.2021 in W.P. (MD)No.2773 of 2021 and allow the writ appeal.

For Appellant : Mr.T.Amjadkhan
Government Advocate

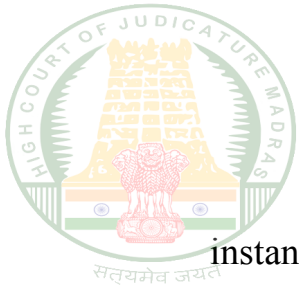
For Respondents : Mr.G.Chandrasekar
for R1

: No appearance
for R2

JUDGMENT

(Judgment of the Court was made by **G.R.SWAMINATHAN, J.**)

The Education Department has filed this writ appeal questioning the order of the learned single Judge whereby incentive increment was granted in favour of the writ petitioner for having acquired higher qualification. The Department has rejected the request in the first



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instance on the sold ground that prior permission was not obtained before acquiring higher qualifications.

2. The issue raised in this writ appeal is no longer res integra. It has been consistently held that obtaining prior permission is not necessary. Our attention is drawn to the decision of the Hon'ble Division Bench of this Court in the ***Joint Director of School Education Vs. S.Vasugi in W.A.(MD)No.1124 of 2023***, dated 24.07.2023. After referring to the earlier Judgments in ***Tamil Rajan Vs. The State of Tamil Nadu, represented by its Secretary Department of School Education, Chennai-9 in W.P.(MD)No.4019 of 2018***, it was held that no prior permission is required for obtaining higher qualification. In this view of the matter, we do not find any merit in this writ appeal.

3. This Writ Appeal stands dismissed. No costs. Consequently, connected miscellaneous petition is closed.

(G.R.S., J.) (R.K.M., J.)
20.02.2026

Index : Yes / No
Internet : Yes / No
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