

WP.(MD)No.35762 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 07.01.2026

CORAM :

THE HON`BLE MR.JUSTICE B.PUGALENDHI

WP.(MD)No.35762 of 2025

and

WMP.(MD)No.28375 of 2025

S.Santhakumar

... Petitioner

Vs.

1.The Principal Secretary to Government,
Finance Department, Government of Tamilnadu,
Fort.St.George, Chennai-09.

2.The Director of Elementary Education,
Perasiriyar Anbazhagan Kalvi Valagam,
College Road, Chennai-600 006.

3.The District Educational Officer(Elementary),
Tanjore, Tanjore District.

4.The Block Educational Officer,
Thiruvidaiaruthur Block,
Tanjore District.

5.The Principal Accountant General (A&E),
Office of the Accountant General,
361, Teynampet, Chennai, Chennai.

... Respondents



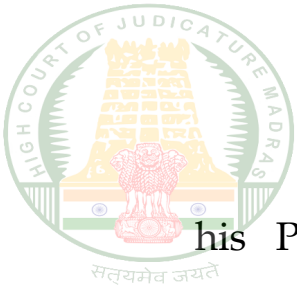
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Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying for the issuance of Writ of Certiorarified Mandamus, to call for the records relating to the impugned orders issued by the fourth respondent in Na.Ka.No.919/A1/2025 dated 25.06.2025 in connection with the recovery orders of incentives and to revise the scale of pay issued by the fourth respondent in Na.Ka.No.811/A1/2025 dated 31.07.2025 and 08.09.2025 and to quash the same and consequently direct the 2nd and 5th respondents to release the pension benefits to the petitioner within a stipulated period.

For Petitioner	: Mr.J.Mathesh
For R1 to R4	: Mr.M.Sarangan, Additional Government Pleader.
For R5	: Mr.Chamundi Bose

ORDER

The petitioner is working as a secondary grade teacher. He has obtained an M.A.degree in English on 04.10.2012 and has submitted a representation for providing incentive increment for



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his Post Graduate degree. Incentive increment was initially provided to the petitioner. However, considering the nature of degree obtained by the petitioner and relevance of the degree for the classes which have been taken by the petitioner, the incentive increment, which has already been provided to this petitioner, was cancelled and his salary has been refixed by the order impugned in this writ petition. Aggrieved by the same, the petitioner has filed the present writ petition.

2.The learned Additional Government Pleader appearing for the respondents 1 to 4, by referring to the earlier order passed by this Court in WP.(MD)No.22704 of 2018 dated 21.01.2025, submits that the revision of scale of pay has been made only pursuant to this order.

3.This Court, in its order dated 21.01.2025 in WP.(MD)No. 22704 of 2018 has held as under:-

7.The very basis for grant of incentive increment is



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to encourage the Teachers to acquire additional qualification, which would be useful for the students and for the improvement of the education system. Here, in the present case, the petitioner, who was working as a BT Assistant (English), instead of enriching his knowledge in English has chosen to acquire higher qualification in Commerce (M.Com.), without considering the benefit, which the student is going to get it from the Commerce degree obtained by him. The incentive increment was also provided to him in a mechanical manner. The Government has now realized that the incentive increments provided to the Teachers have not effected any results in the performance of the Students and has taken a policy decision not to provide any incentive increments, based on the additional qualifications acquired by the Teachers, vide G.O.Ms.No.116, Personnel and Administrative Reforms (FRIV) Department, dated 15.10.2020. However, the incentive increment, which was provided earlier has not been revised. This would certainly amounts to discrimination among the teachers, who are working in the same cadre.

8.This Court is of the view that the Government has to revise the incentive increments provided to the teachers, who have not delivered anything good to the institution



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with their additional qualification. In this case, the petitioner has took a specific stand that several teachers of similarly placed have been provided with incentive increment for having acquired M.Com., degree. This Court, by its earlier order, dated 13.03.2023 has directed the Government to verify and to inform this Court whether any such similarly placed persons have been provided with incentive increment for having acquired M.Com., qualification. However, the Government is not prepared to furnish the details and sought time that they are not having the details as on date. All the Departments have been computerized long back and therefore, the stand taken by the respondents that they are not having the details with regard to the incentive increments provided to the Teachers for those, who have acquired M.Com., qualification cannot be accepted. The incentive increments, if any, provided wrongly is also out of the taxpayers money. The Government officials must realize their responsibility, while spending each and every penny of taxpayers money. The best form of courage is to accept the mistake and to correct it. It appears that the Government is not inclined to accept the mistake in sanctioning incentive increments to the irrelevant course acquired by some teachers. If any disparity, in providing



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incentive increment to ineligible teachers, would definitely demoralize the teachers, who are having similar qualification.

9.In view of the foregoing reasons and discussions, this writ petition is dismissed. Hope the Government shall find out the ineligible teachers, who are receiving incentive increments for their higher qualification without any relevancy and to take appropriate action to recover the same, as it is a loss to the public exchequer. No costs. Consequently, connected Miscellaneous Petitions are closed.

List this writ petition on 21.03.2025, for reporting compliance by the Government.

4.In view of above, this Court is not inclined to entertain this writ petition. Accordingly, this writ petition is dismissed. No costs. Consequently, connected miscellaneous petition is closed.

07.01.2026

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