

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Date:- 04.09.2015

Coram

The Honourable Mr. Justice **K.K. SASIDHARAN**

Review Application (Writ) No.104 of 2015
against W.P.No.18144 of 2014

Tamil Nadu Public Service Commission
Rep. by its Secretary
Frazer Bridge Road
Park Town
Chennai-600 003.

...Review Petitioner

- Vs.-

1. K.V. Rajkumar
2. Government of Tamil Nadu
Rep. by its Secretary
Higher Education Department
Fort St. George
Chennai-600 009.
3. University Grants Commission (UGC)
Rep. by its Secretary
Bahadur Shah Zafar Marg
New Delhi-110 002.

...Respondents

Prayer: Review Application filed under Order XLVII Rule 1 read with Section 114 CPC against the order dated 13 January 2015 in W.P.No.18144 of 2014 on the file of this Court.

For Petitioner : Mrs.C.N.G. Niraimathi

For Respondents : Mr. Balan Haridas for R.1
Mr.M.S.Ramesh, Spl. G.P. for R2
Mr. P.R. Gopinath for R.3

ORDER

This review petition is at the instance of the Tamil Nadu Public Service Commission and the request is to review and recall the order dated 13 January 2015 in W.P.No.18144 of 2014.

2. Heard the learned counsel for the petitioner, learned counsel appearing on behalf of the first respondent, learned Special Government Pleader appearing on behalf of the second respondent and the learned Standing Counsel for the University Grants Commission.

3. It is the case of the petitioner that the first respondent obtained B.E. Degree during the year 2008-2012 in the regular stream. Similarly, he has acquired B.A. (Tamil) Degree during the academic year 2008-2010 through Distance Education. Since the first respondent obtained his B.A. (Tamil) Degree and B.E. Degree simultaneously, he is not entitled to be considered for appointment to the post included in Group-I Services.

4. The contention taken by the petitioner has no factual or legal basis.

5. The clarification issued by the University Grants Commission dated 9 February 2015 clearly shows that there was no policy regarding simultaneous pursuance of two programmes prior to the notification dated 8 June 2012.

6. The first respondent pursued the two programmes simultaneously and completed the course before issuing the notification dated 8 June 2012. When it is made out that there was no prohibition prior to 8 June 2012 to undergo two programmes simultaneously, the petitioner cannot be heard to say that the first respondent violated the guidelines issued by the University Grants Commission. I therefore do not find any merit in the review petition.

7. In the upshot, I dismiss the review petition. No costs.

04.09.2015

Index: Yes/no
Internet: Yes/no
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K.K.SASIDHARAN, J.

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