

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 23.09.2015

CORAM:

THE HONOURABLE MR.JUSTICE M.M.SUNDRESH

Review Application No.208 of 2015
in W.P.No.25368 of 2014

1. The Secretary,
Higher Education Department,
Chief; Secretariat,
Fort St.George,
Chennai – 600 009,
2. The Chairman/Member Secretary,
Teachers Recruitment Board,
4th Floor, EVK Sampath Maaligai,
DPI Compound, College Road,
Chennai – 600 006,
3. The Director of School Education,
DPI Compound, College Road,
Chennai – 600 006.

... Petitioners

Vs.

1. K.Chitra,
2. The Secretary,
Tamil Nadu Public Service Commission,
Frazer Bridge Road, VOC Nagar, Park Town,
Chennai – 600 003,
3. The Registrar,
University of Madras,
Chepauk, Chennai – 600 005,

4. Vincyraaj

.. Respondents

PRAYER: Review Application filed under Order 47 Rule 1 read with Section 114 of C.P.C against the Order dated 1.12.2014 made in W.P.No.25368 of 2014. '

For Petitioners : Mrs.P.Rajalakshmi, Govt. Advocate
For Respondents : Mr.C.Senapathi for R.1

ORDER

Seeking review of the order dated 1.12.2014 passed by this Court in W.P.No.25368 of 2014, the petitioners have come forward to file this petition.

2. Learned Government Pleader appearing for the petitioners has submitted that the University concerned has referred the issue pertaining to the Degree obtained by V.Vincyraj, the 4th respondent herein, who is the petitioner in W.P.No.24107 of 2014, to the Equivalence committee. Therefore, pending decision to be made by the Equivalence Committee, the request with respect to K.Chitra, petitioner in W.P.No.25368 of 2014, who is the 1st respondent herein, cannot be considered as ordered by this Court.

3. This Court is unable to accept the said submission. The reliance made by the learned Government Advocate appearing for the petitioner upon the judgment of the Full Bench of this Court in W.P.(MD) No.16181 of 2002 etc., batch has no bearing on this case. In the said decision, it has been merely held that a Certificate of equivalence would relate back to the Degree. We are not concerned with the said issue.

4. In the case on hand, the University has rejected the request of Vincyraj. Therefore under those circumstances, this Court was pleased to pass the impugned order. Mere pendency of the case of Vincyraj with the Equivalence committee cannot be a ground to deny the consideration of K.Chitra, the 1st respondent herein. Admittedly, as of now, the University has rejected the equivalence sought for by Vincyraj for the degree obtained. Furthermore, though Vincyraj was a party to the order dated 1.12.2014, she has not come before this Court seeking review nor filed any writ appeal. A mere subsequent action of the University to send the qualification obtained by Vincyraj for consideration by the Equivalence committee cannot be a ground to reject the relief sought for by K.Chitra. However, it is made clear that in the event of the Equivalence Committee considering the case of Degree obtained by Vincyraj favourably, the review petitioners will have to create one more seat and accommodate the 1st respondent herein as well, subject to the rules and regulations in force.

With the above observation, the review application is dismissed. However, considering the fact that the petitioners have filed the review application, the time granted by this Court on 1.12.2014 is extended for a further period of four weeks from the date of receipt of copy of this order. No costs.

23.09.2015

Index:Yes/No

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To

2. The Secretary,
Tamil Nadu Public Service Commission,
Frazer Bridge Road, VOC Nagar, Park Town,
Chennai – 600 003,

3. The Registrar,
University of Madras,
Chepauk, Chennai – 600 005,

M.M.SUNDRESH,J.

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No.208 of 2015 in
W.P.No.25368 of 2014**

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