

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 16.03.2015

CORAM

THE HONOURABLE MR.JUSTICE K.K.SASIDHARAN

W.P.No.5656 of 2015

S.Gnanasekaran

...Petitioner

vs.

1. The Secretary,
Higher Education Department,
Secretariat,
Chennai-600 009
2. The Secretary
The Teacher Recruitment Board,
4th Floor, EVK Sampath Maligai,
DPI Compound, College Road,
Chennai-600 006
3. The Secretary,
Finance (Co-operative Audit Department)
Chepauk, Chennai-5
4. The Secretary to Government,
Cooperative Society Department,
Secretariat, Chennai-5
5. The Registrar,
University of Madras,
Chepauk, Chennai-5

...Respondents

Writ petition filed under Article 226 of the Constitution of India praying for issuance of a writ of mandamus directing the respondents to appoint the petitioner to the post of Graduate Assistant Grade-I, commerce subject by treating the B.A.(Corporate Secretaryship) degree equivalent to B.Com degree as per G.O.Ms.No.303 passed by the third respondent dated 27.5.2004 and communication of the 5th respondent dated 12.09.2013.

For Petitioner : Mr.E.C.Ramesh

For respondents : Mr.P.Sanjay Gandhi,A.G.P.
for R1, R3 and R4

Mr.M.S.Ramesh,A.G.P.for R2

Mr.R.Vijayakumar for R5

ORDER

The petitioner seeks a direction to the second respondent to appoint him to the post of Graduate Assistant Grade-I, by treating B.A.(Corporate Secretaryship) as equivalent to B.Com degree as per Government Order in G.O.Ms.No.303, dated 27.5.2004.

2. The petitioner completed B.A.(Corporate Secretaryship) in 1997 and thereafter passed M.Com degree in Commerce.

3.The petitioner submitted an application for appointment to the post of Graduate Assistant Grade-I, pursuant to the Notification issued by the second respondent. It is the grievance of the petitioner that on account of his failure to obtain a specific equivalence certificate to the effect that B.A.(Corporate Secretaryship) is equivalent to B.Com Decree, his candidature was not considered. The petitioner is therefore before this Court.

4. The Government have already issued an order in G.O.Ms.No.303, dated 27.5.2014, to the effect that B.A (Corporate Secretaryship) is equivalent to B.Com degree. In view of the said Government Order, necessarily the application submitted by the petitioner should be considered by the second respondent.

5. In the result, a writ in the nature of writ of mandamus is issued directing the second respondent to consider the case of the petitioner for appointment to the post of Graduate Assistant Grade-I, in the light of the Government Order in G.O.Ms.No.303, dated 27.5.2014. Such exercise shall be completed within a period of four weeks from the date of receipt of a copy of this order.

6. The writ petition is disposed of with the above direction. No costs.

Sd/-
Assistant Registrar (CS-III)

//True Copy//

Sub Assistant Registrar

msk

To

1. The Secretary,
Higher Education Department,
Secretariat, Chennai-600 009
2. The Secretary
The Teacher Recruitment Board,
4th Floor, EVK Sampath Maligai,
DPI Compound, College Road, Chennai-600 006
3. The Secretary,
Finance (Co-operative Audit Department)
Chepauk, Chennai-5
4. The Secretary to Government,
Cooperative Society Department,
Secretariat, Chennai-5
5. The Registrar,
University of Madras,
Chepauk, Chennai-5

1 CC to Mr.R.Vijayakumar, Advocate SR.No. 14859

1 CC to Mr.M.S.Ramesh, Advocate SR.No. 14911

1 CC to Mr.E.C.Ramesh , Advocate SR.No. 15319

1 CC to the Government Pleader, SR.No. 14787

W.P.No.5656 of 2015

KSJ (CO)
PSI (27.03.2015)