

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 27.03.2017

CORAM

THE HONOURABLE MR.JUSTICE T.RAJA

Writ Petition No.7181 of 2017
and WMP.No.7806 of 2017

K.Devi

...Petitioner

Vs.

1. The Tamil Nadu Public Service Commission
Rep. By its Member Secretary
Frazer Bridge Road
V.O.C.Nagar, Park Town
Chennai-600 003

2.The University of Madras
Rep. By its Registrar
Chepauk
Chennai-600 005

3.The Government of Tamil Nadu
Rep. By its
Principal Secretary to Government
Higher Education Department
Fort St.George, Secretariat
Chennai 600 009

4.The Principal Secretary to Government
Finance Department
Government of Tamil Nadu
Fort St.George, Secretariat
Chennai-600 009

...Respondents

Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the 1st respondent to consider the petitioner's degree of Bachelor of Bank Management obtained from the 2nd respondent as equivalent to B.Com., and consequently accept the certificates of the petitioner as eligible under the Notification No.17/2015 dated 12.10.2015.

For Petitioner : Mr.Richardson Wilson

For Respondents : Mr.T.M.Pappiah, Spl.G.P.,
for R3 and R4.

Notice to R1 and R2 is dispensed with.

O R D E R

The petitioner having passed 10 + 2 appears to have completed Bachelor degree in Banking Management (B.B.M.) through correspondence course from the University of Madras Distance Education Programme in the year 2003. Again, she has completed M.com., from the University of Madras through correspondence course in the year 2013. In the meanwhile, the TNPSC-1st respondent herein issued a Notification No.17/15, dated 12.10.2015 followed by Supplementary Notification No.18/15, dated 20.10.2015, calling for applications to be submitted for the post of Assistant in the Combined Civil Services Examination Group II A Service in the State. As the petitioner is qualified, she applied for the said post on 15.10.2015 as per the mode prescribed through the website and paid the prescribed registration fees. The petitioner applied as a B.C. Category PSTM candidate. But in the above said background, the grievance of the petitioner is that, when she appeared for certificate verification, the 1st respondent has refused to accept the said degree certificate, on the ground that the Bachelor degree in Banking Management (B.B.M.,) issued by the 2nd respondent, is not equivalent to B.Com degree as required under para 3(B) of entry 7 of the notification dated 12.10.2015. Consequently, the 1st respondent has refused to accept her certificates. Therefore, she has come to this court with the present writ petition.

2. In Notification No.17/15 dated 12.10.2015, issued by TNPSC, the educational qualification that the candidate should possess is stated in 3(B) (a), entry 7 as under:-

7.	Junior Cooperative Auditor	A degree of B.B.M.Degree or B.Com Degree or B.Com (Computer Application) Degree or B.A. (Cooperation) Degree or B.A. (Economics) Degree or B.A. (Corporate Secretaryship) Degree or B.B.E.Degree awarded by any University.
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Thus, the Notification has explained the educational qualification for the post of Junior Co-operative Auditor and hence, Bachelor of Banking Management degree is to be accepted as the prescribed educational qualification. Further taking note of the PSTM certificate issued by the Head of Institution as contemplated in G.O.(Ms).No.145 P & AR(S) Department dated 30.09.2010, University of Madras dated 06.03.2017, certifying

that the petitioner has studied Bachelor of Bank Management during the year July 1999 to June 2002 in Tamil Medium, followed by one another certificate issued by the Registrar of University of Madras dated 8th March 2017, the Degree of Bachelor of Bank Management has to be considered as equivalent to B.com., degree in Bank Management of this University for the purpose of employment.

3. In view of the above, the petitioner should be allowed to take part in the selection process as she is fully satisfied with the educational qualification mentioned in the notification. Therefore, the 1st respondent is hereby directed to consider the degree of Bachelor of Banking Management obtained from the 2nd respondent as equivalent to B.Com., and also accept the certificate of the petitioner as one prescribed in the notification.

4. With the above observation, the writ petition stands allowed. No costs. Consequently, connected WMP is closed.

Sd/-
Asst.Registrar

/true copy/

Sub Asst. Registrar

nvsri

To

1. The Tamil Nadu Public Service Commission
Rep. By its Member Secretary
Frazer Bridge Road
V.O.C.Nagar, Park Town
Chennai-600 003

2.The University of Madras
Rep. By its Registrar
Chepauk
Chennai-600 005

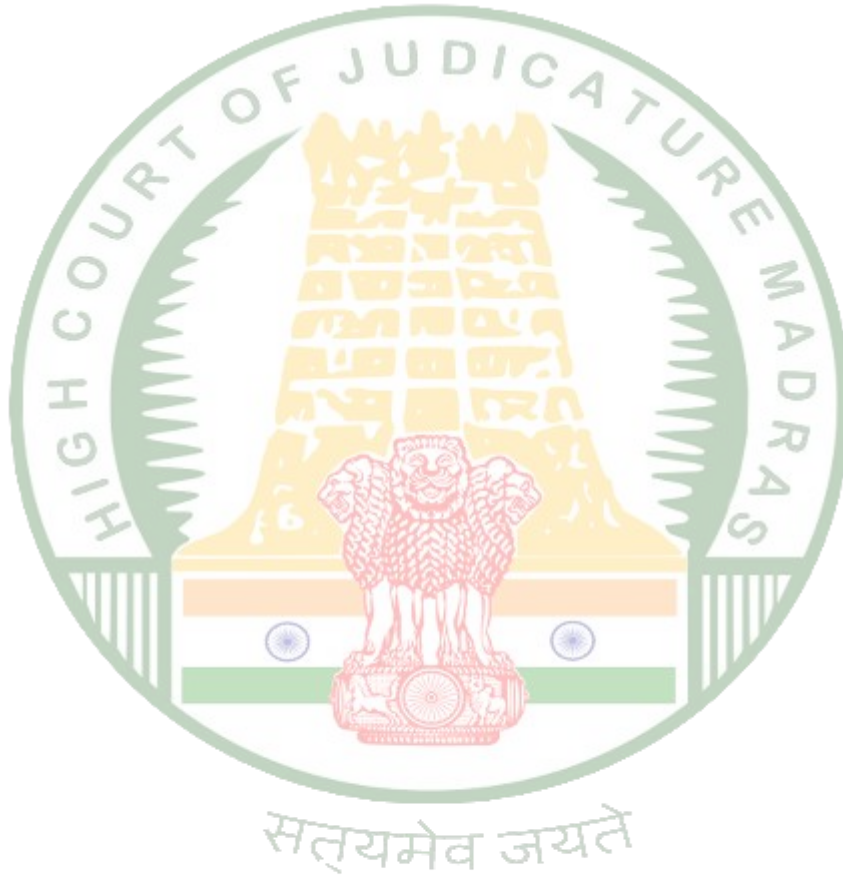
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Chennai 600 009

4.The Principal Secretary to Government
Finance Department
Government of Tamil Nadu
Fort St.George, Secretariat, Chennai-600 009

+1cc to Richardson wilson,Advocate sr.19005

W.P.No.7181 of 2017

mp1(co)
ss(28/3/2017)



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