

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 20.12.2017

CORAM

THE HONOURABLE MR.JUSTICE T.RAJA

W.P.No.33274 of 2017

J.Amuthamani

.. Petitioner

-vs-

1. The Member Secretary
Teachers Recruitment Board
4th Floor, EVK Sampath Maligai
College Road
Chennai 600 006

2. The Chairman
Tamilnadu Public Service Commission
Frazer Bridge Road, VOC Nagar
Park Town, Chennai

.. Respondents

Petition under Article 226 of the Constitution of India, praying for the issue of a Writ of Certiorarified Mandamus, calling for the records of the first respondent in R.C.No.2935/L2/2016 dated 21.2.2017 and quash the same and consequently direct the first and second respondents to place the issue regarding equivalence of Applied Micro Biology with Micro Biology before the Equivalence Committee to be decided within a stipulated time and till such time a decision is taken, forbear the first respondent from cancelling her candidature for future appointment to the post of PG Assistant (Botany/Zoology).

For Petitioner :: Mr.N.Balamuralikrishnan

For Respondents:: Mr.R.A.S.Senthilvel
Additional Government Pleader
for R1
Ms.C.N.G.Niraimathi
Standing Counsel for R2

ORDER

This writ petition is directed against the impugned order passed by the first respondent.

2. Learned counsel for the petitioner submitted that the petitioner has completed M.Sc.(Applied Microbiology) in the year 2002 after completing the B.Sc.(Microbiology) course in the year 2000. Again she has completed her B.Ed., in Biological Sciences in April, 2003. With these qualifications, she applied for the post of P.G.Assistant in Zoology subject. But the first respondent rejected her candidature on the ground that the degree obtained by her is not equivalent to Zoology. Once again the first respondent called for applications for filling up the post of P.G.Assistant (Botany) and the petitioner also applied and took part in the written examination. Thereafter, the respondent call her for the certificate verification. In the meanwhile, the Government issued G.O.Ms.No.72, Higher Educaiton (K2) Department dated 30.4.2013 holding that the candidates who had studied microbiology subject are also entitled to teach Botany/Zoology in School education level. When the matter stood as above, the petitioner came to this Court with W.P.No.17112 of 2013 seeking a direction from this Court to select her candidature in the light of G.O.Ms.No.72 dated 30.4.2013. This Court, by order dated 21.11.2016, directed the petitioner to make one more representation to the first respondent with a further direction to the first respondent to consider the said representation on merits. But surprisingly, the first respondent, on receipt of the representation, rejected the case of the petitioner on the ground that the post graduate degree acquired by the petitioner is not equivalent to microbiology subject.

3. It is at this stage, the learned standing counsel for the second respondent submitted that if two months time is granted, the case of the petitioner will be considered by the appropriate committee.

4. Placing on record her statement, the writ petition stands disposed of with a direction to the respondents to place the certificate obtained by the petitioner in M.Sc. Applied Microbiology before the appropriate committee for consideration whether the M.Sc. Applied Microbiology is equivalent to M.Sc. Zoology or Botany. Such an exercise shall be done within a period of two months from the date of receipt of a copy of this order. With this direction, the writ petition is disposed of accordingly. Consequently, W.M.P.No.36702 of 2017 is closed. No costs.

Sd/-

Assistant Registrar(CS-III)

//True Copy//

Sub Assistant Registrar

ss

To

1. The Member Secretary
Teachers Recruitment Board
4th Floor, EVK Sampath Maligai
College Road
Chennai 600 006

2. The Chairman
Tamilnadu Public Service Commission
Frazer Bridge Road, VOC Nagar
Park Town, Chennai

+1cc to the Government Pleader, S.R.No. 91462

+1cc to Mr.V.VIJAYASHANKAR Advocate, S.R.No. 91625

W.P.No.33274 of 2017

TR(10/01/2018)



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