

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 13.10.2017

CORAM

THE HON'BLE Mr. JUSTICE S.M.SUBRAMANIAM

W.P.No.7486 of 2012

and

M.P.No.1 of 2012

S.Deepa

... Petitioner

Vs

1. Member-Secretary
Teachers Recruitment Board
4th Floor, E.V.Ki.Sambath Maligai
DPI, College Road,
Chennai 6.

2. The Periyar University
Salem 11.

... Respondents

PRAYER: Writ Petitions filed under Article 226 of The Constitution of India, praying to issue a Writ of Mandamus, directing the first respondent herein to declare B.A.English (Computer Application) and B.A.English Literature courses are equivalent degrees based on the certificate issued by the second respondent in his proceedings dated 29.09.2010 in Pe.P/Pa19/Equivalent/14120/2010 and in consequent to that directing the first respondent to permit the petitioner to participate in the Teacher Eligibility Test and other examinations for appointment to the post of B.T.Assistant English within an appropriate time.

For Petitioner : Mr.R.Nalliyappan

For Respondents : Mr.K.Thangapandi for R1
Government Advocate

: Mr.P.Sanjay Gandhi for R2

O R D E R

The relief sought for in this writ petition is for a direction to direct the first respondent herein to declare B.A. English (Computer Application) and B.A. Literature courses are

equivalent degrees, for appointment to the post of B.T. Assistant English.

2. The learned counsel appearing for the writ petitioner made a submission that she has completed B.A. English (Computer Application) course in the year 2007-2010. The qualification prescribed for the post of B.T. Assistant English is B.A. English Literature. Thus, the present writ petition is filed to direct the first respondent to declare that the B.A. English (Computer Application) as equivalent to B.A.English Literature.

3. First of all the first respondent is not a competent authority to declare the equivalence of degrees. In this regard, Rule 19 of the Tamil Nadu State Sub-Ordinate Service Rules, which deals with the special qualifications, is extracted hereunder:

As per Section 19, the State Government has to declare such other qualifications to be equivalent to special qualifications in consultation with the committee constituted under the Chairmanship of the Chairman, Tamil Nadu Public Service Commission for the purpose, in cases where the appointment has to be made in consultation with the commission.

4. Thus, the procedure as contemplated under the Rules, to declare the equivalence of various degrees, is that the State Government has to approve and issue an order in this regard. The first respondent in this writ petition is not a competent authority for issuing any such declaration of equivalence in respect of the educational qualification.

5. In this view of the matter, the prayer sought for in this writ petition deserves no further adjudication.

6. Accordingly, the writ petition stands dismissed. However, there shall be no order as to costs. Consequently, connected Miscellaneous Petition is also closed.

s/d-

Assistant Registrar(CS-V)

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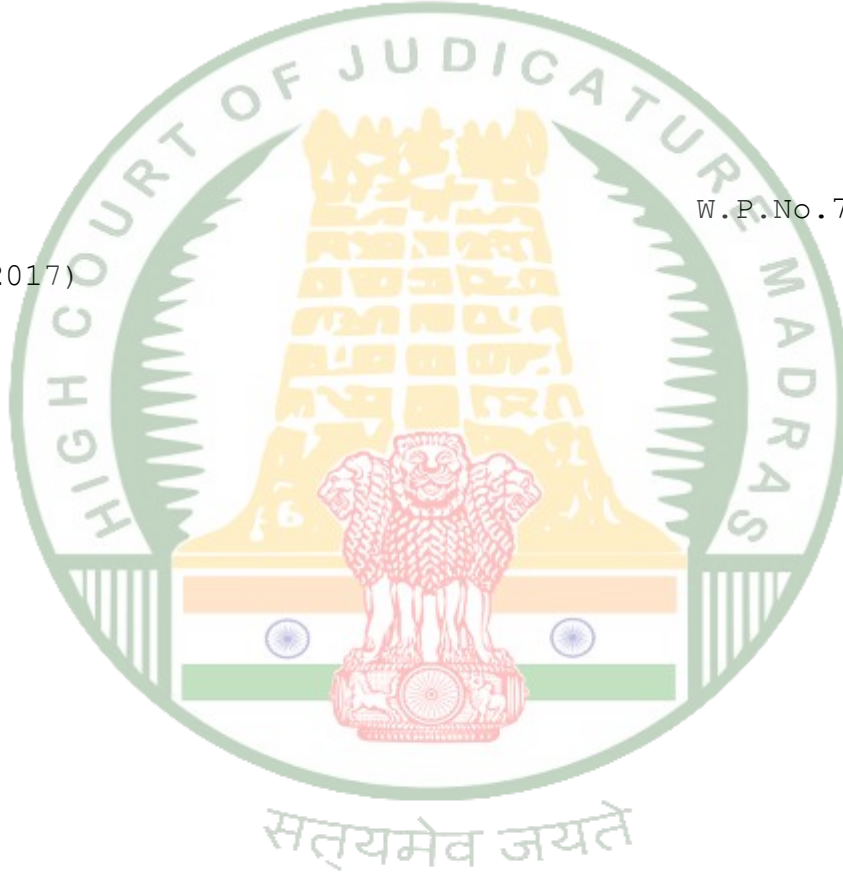
Sub-Assistant Registrar

dna
To

1. The Chairman,
Tamil Nadu Generation and
Distribution Corporation Limited,
No.800, Annasalai,
Chennai-2.
2. The Superintending Engineer,
Cuddalore Elecy. Distn.Circle,
Capper Hills/Cuddalore-04.

W.P.No.7486 of 2012

SP(27/11/2017)



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