

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 13.09.2017

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.No.4351 of 2004

And

W.P.M.P.Nos.5119 and 5120 of 2004

- 1.V.Saravanan
- 2.D.Mathiyazhagan
- 3.R.Velu
- 4.P.Gajendran
- 5.M.Usha Sree
- 6.M.Boopalan
- 7.D.Johnson
- 8.T.Wilson
- 9.S.Prema Selvakumari
- 10.P.Harish
- 11.M.Soundra Rajan
- 12.D.Kumaravel
- 13.K.Loganathan
- 14.K.Gopalakrishnan
- 15.G.Vasanthi
- 16.S.Jaisin
- 17.G.Srinivasalu
- 18.V.Gandhi
- 19.N.Choodappa
- 20.V.Iyyappan
- 21.G.Prabu



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22.M.Sundar
 23.W.Sathish Kumar
 24.R.Vijayakanth
 25.E.Banu Priya
 26.M.Prabakaran
 27.P.Ravikumar
 28.M.N.Rajasekaran
 29.G.Sivakumar
 30.S.Aruneswari
 31.A.Anasuya
 32.P.V.Anitharaj
 33.B.Salomi
 34.S.Gnana Mary Shila
 35.Y.Danipastor
 36.C.Diana Salovathy Dhanraj
 37.N.Munirathinam
 38.G.Ashok Kumar
 39.G.Dhanalakshmi
 40.G.Rajappa
 41.J.Igloorappa
 42.N.Somasekar

... Petitioners

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Vs.

- 1.The Commissioner of Employment and Training,
Chepauk, Chennai – 5.
- 2.The District Employment Officer,
Thiruvellore District.

3.The District Employment Officer,
Thiruvannamalai,
Thiruvannamalai District.

4.The District Employment Officer,
Hosur.

5.The District Employment Officer,
Dharmapuri.

6.The District Employment Officer,
Kancheepuram.

7.The District Employment Officer,
Vellore.

8.The District Employment Officer,
Saidapet, Chennai.

9.Christian Institute Professional Education
rep. by its Correspondent,
S.Isaac Jebakumar. ... Respondents

Prayer:

Petition filed under Article 226 of the Constitution of India to issue a Writ of Certiorarified Mandamus calling for records relating to the order of the 1st respondent dated 16.04.2002 in Ma.Va.Su.No.13/2002 and quash the same and direct the respondents 2 – 8 and quash the same and direct the respondents 2 – 8 to register the educational qualification of the petitioners in the concerned Employment Exchanges without production of evaluation certificate.

For Petitioner : Mr.P.Krishnan
For Respondents : Mr.M.Elumalai
Government Advocate

ORDER

The petitioners have filed this writ petition challenging the order of the first respondent dated 16.04.2002.

2.The petitioners had undergone two years Teacher Training Course in the ninth respondent College which was affiliated to the Bharatiya Shiksha Parishad and approached the concerned Authorities for registration of their Diploma Certificate for employment purposes. However, the first respondent refused to register their educational qualification based on the Circular issued by the first respondent dated 16.04.2002, as per which, the educational certificate issued by the Educational Institution/University of other States should not be registered without Evaluation Certificate. Aggrieved by the same, the petitioners have filed this writ petition for registration of their educational qualification in the Employment Exchange.

3.The learned Government Advocate appearing for the respondents filed a counter and it is relevant to extract hereunder paragraph no.4 of the counter affidavit:

"The contentions raised in the grounds are concerned, it is submitted

that since Bhartiya Shiksha Parishad, a Lucknow based institution under which the writ petitioner has undergone the Diploma in Teacher Education is not a recognized institution as reported by the National Council for Teacher Education, Southern Regional Council, Bangalore in its letter dated 20.02.2002 and since the degrees/ certificates awarded by Bhartiya Shiksha Parishad are not recognized by National Council for Teacher Education as valid qualifications for purpose of employment under Central Government, any State Government or University or in any School, College or any State Government as per Section 17 (4) of the National Council for Teacher Education Act, the departmental instructions which had earlier been issued in State Employment Exchange Circular Memo.No.13/02 and subsequently modified in State Employment Exchange Circular Memo No.34/02 which excludes Bhartiya Shiksha Parishad alone will sustain. Further, according to the copy of D.O.Lr.No.F 7-3/97 (Malpractice Cell), dated 14.6.2001 of the University Grants

Commission, there were about 19 fake Universities. Bhartiya Shiksha Parishad is one among them. Further, as per subsequent communication received from the University Grants Commission, New Delhi bearing F.No.6-18/2002 (MPC) dated 31.3.2004, Bhartiya Shiksha Parishad is not a recognized institution. On all these scores, the departmental instructions issued in State Employment Exchange Circular Memo 34/02, modified version of State Employment Exchange Circular Memo No.13/02, will sustain."

4.The petitioners had undergone Diploma in Teacher Education in the ninth respondent College which was affiliated to the Bharatiya Shiksha Parishad, which is not recommended by the University Grants Commission, New Delhi. When the particular Institution is not recommended by the University Grants Commission, New Delhi, the Certificate issued by the un-recommended Institution cannot be registered in the Employment Exchange.

5.In view of the above, I am not inclined to interfere with the impugned Circular dated 16.04.2002 issued by the first respondent.

Accordingly, the writ petition is dismissed. No costs.

Consequently, the connected miscellaneous petitions are also closed.

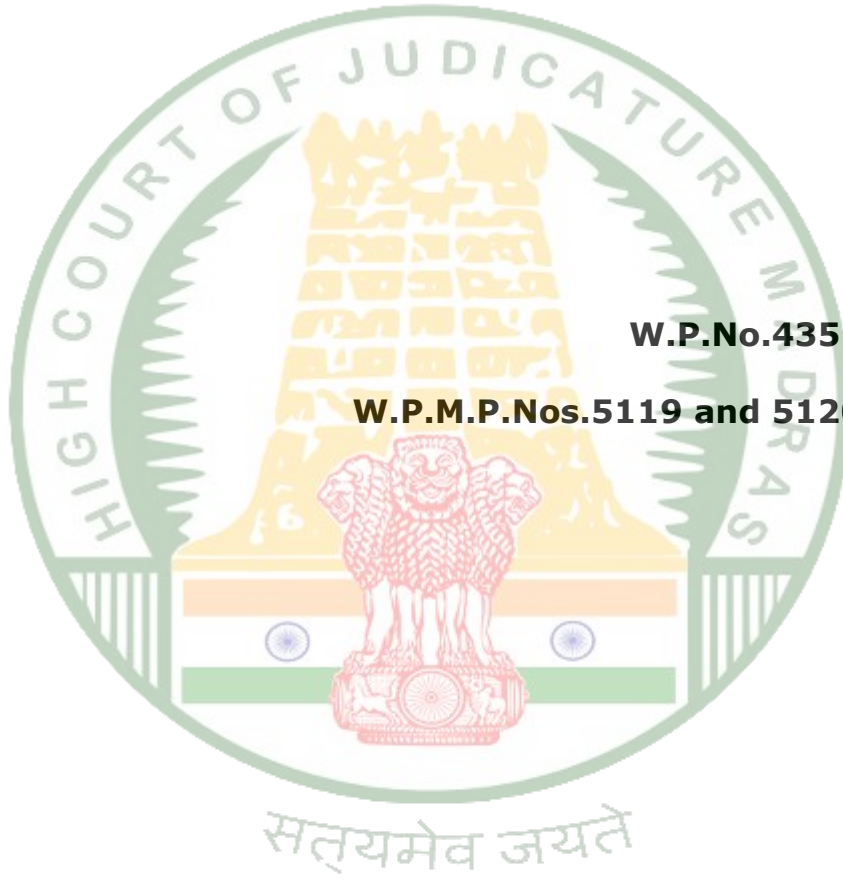
13.09.2017

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Speaking Order/ Non Speaking Order
Index: Yes/ No
Internet: Yes/ No

To

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Saidapet, Chennai.

M.DHANDAPANI,J.



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