

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :16.08.2017

CORAM

THE HONOURABLE MR.JUSTICE M.V.MURALIDARAN

W.P.No.35863 of 2003

N.Mageswaran

Petitioner

Vs

1.The Director of School Education,
Chennai - 6.

2.The District Educational Officer,
Coonoor, Nilgiris District.

3.St.Joseph Higher Secondary School,
Rep. by its Correspondent,
Udhagamandalam,
Nilgiris District.

Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Certiorarified Mandamus, to call for the records pertaining to the order passed by the 2nd respondent in his proceedings O.Mu.No.315/B2/03 dated 03.09.2003 and quash the same and direct the respondents to evaluate the Technical Teachers Certificate-Higher Grade of the petitioner and approve the appointment of the petitioner and confer all the consequential benefits.

For Petitioner :Mr.P.Ganesan
for S.Mani

For Respondents :Mrs.M.E.Rani Selvam
Additional Government Pleader

ORDER

The writ petition has been filed by the petitioner seeking for issuance of a Writ of Certiorarified Mandamus, to call for the records pertaining to the order passed by the 2nd respondent in his proceedings O.Mu.No.315/B2/03 dated 03.09.2003 and quash the same and direct the respondents to evaluate the Technical Teachers Certificate-Higher Grade of the petitioner and approve the appointment of the petitioner and confer all the consequential benefits.

2. I heard Mr.P.Ganesan for S.Mani, learned counsel appearing for the petitioner and Mrs.M.E.Rani Selvam, learned Additional Government Pleader appearing for the respondents.

3. The Respondents filed their counter in which paragraph No.3 which reads as follows:

It is submitted that the proposals were returned to the respondent 3 stating the facts that the certificate could not be evaluated since the course of training attended by the petitioner was not equivalent to that of the training course conducted in this state. This order was issued only on the basis of orders received from the Director of School Education that is the first respondent. The qualification of the petitioner is not sufficient for appointment and hence the proposals were returned. Further there is no provisions to fill up the vacancy of Agricultural Instructor due to the

Zebag level committee resolutions in proceedings R.C.No.132/Edn dated 27.04.1998. Hence, the filling up of the vacancy itself is incorrect and hence the claim of the petitioner is not to be considered.

4. The learned Additional Government Pleader submits that the course of training conducted by the State of Tamil Nadu for the period of one year is not equivalent to the course of training for the period of six months which was conducted by the State of Andrapradesh. Therefore, the petitioner's certificate could not be valid. Hence, the petition is not maintainable.

5. In view of the above submission, the writ petition is liable to be dismissed. Accordingly, this Writ Petition is dismissed. No costs.

सत्यमेव जयते

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Index:yes/No

M.V.MURALIDARAN, J.

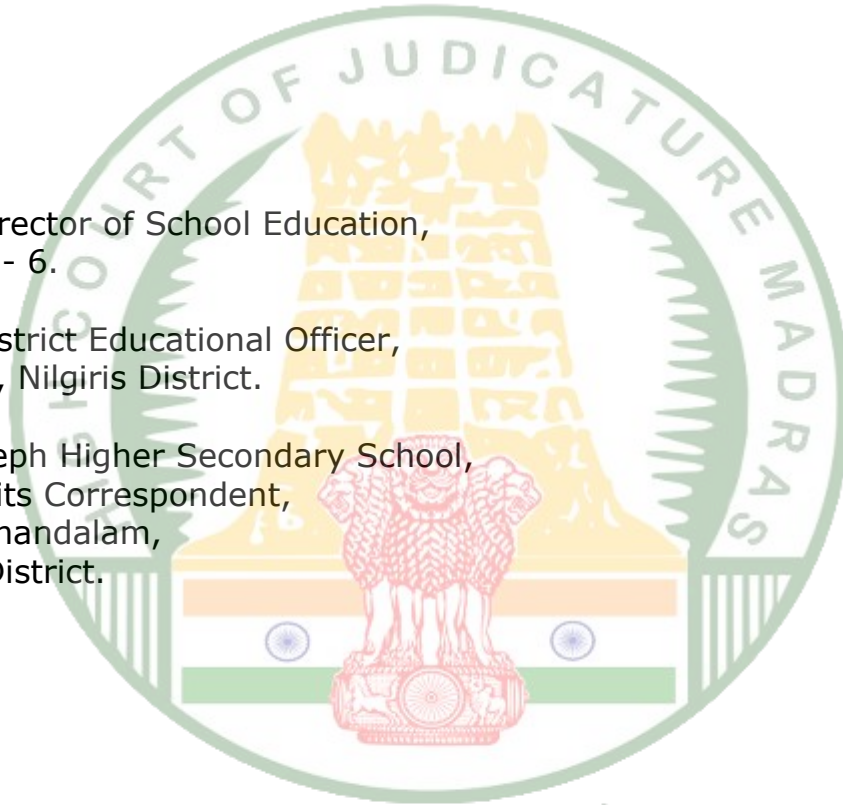
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