



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 16.06.2017

CORAM:

**THE HONOURABLE MR.JUSTICE T.S.SIVAGNANAM
AND
THE HONOURABLE MR.JUSTICE P.VELMURUGAN**

W.A. [MD] .No.803 of 2017

and

C.M.P. [MD] .No.5628 of 2017

1. The Chairman,
Teacher Recruitment Board,
College Road,
Chennai - 600 006.
2. The Joint Director,
Higher Secondary Education,
College Road,
Chennai-600 006.
3. The Chief Educational Officer,
Nagapattinam District,
Nagapattinam.

: Appellants/Respondents

Vs.

A.P.Shanthi

: Respondent/Petitioner

PRAYER: Writ Appeal is filed under Clause 15 of the Letters Patent to against the order dated 11.09.2013, made in W.P(MD)No.367 of 2013 on the file of this Court.

Prayer in WP(MD). 367/ 2013 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court To issue a Writ of Mandamus, forbearing the respondents herein from in any way preventing the petitioner from conducting the classes and also holding the post of Post Graduate Assistant (Commerce) in the Thagattur Government Higher Secondary School, Nagapattinam District, Nagapattinam under the 3rd respondent.

For Appellants

: Mr.V.R.Shanmuganathan,
Special Government Pleader.

For Respondent

: Mr.C.Jeganathan

**JUDGMENT**

[Judgment of the Court delivered by **T.S.SIVAGNANAM, J.**]

Heard Mr.VR.Shanmuganathan, learned Special Government Pleader appearing for the appellants and Mr.C.Jeganathan, learned counsel appearing for the respondent.

2. By consent, the Writ Appeal is taken up for final disposal.

3. This Writ appeal is directed as against the order dated 11.09.2013, made in W.P(MD)No.367 of 2013. The respondent filed the writ petition to forebear the appellants from in any way preventing the respondent from conducting the classes and also holding the post of Post Graduate Assistant (Commerce) in the Thagattur Government Higher Secondary School, Nagapattinam District.

4. The question arises as to whether the basic Degree obtained by the respondent/writ petitioner, namely B.Com., (Applied Commerce) is equivalent to B.Com. General.

5. The Writ Court allowed the writ petition, as against which the present appeal has been preferred. It is not in dispute that both the degrees have been declared as equivalent by subsequent to Government Order and it has been held by the Division Bench of this Court, such orders of equivalent should date back to the date of acquisition of the qualification and not from the date of the Government Order.

6. Applying the said decision, we decline to interfere with the order in the writ petition. Accordingly, this Writ Appeal is dismissed. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (P&A)

/True copy/

Sub Assistant Registrar

To

1. The Chairman,
Teacher Recruitment Board,
College Road,
Chennai - 600 006.

2. The Joint Director,
Higher Secondary Education,
College Road, Chennai-600 006.



3. The Chief Educational Officer,
Nagapattinam District,
Nagapattinam.

MYR/IA

PSM/MR-KKR/SAR1/07.07.2017/3P/4C

**W.A. [MD] .No.803 of 2017
and
C.M.P. [MD] .No.5628 of 2017
16.06.2017**