

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 03.10.2018

CORAM :

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P.No.5978 of 2013
and
W.MP.No.4155 of 2016

S.Senthur Pandian ... Petitioner

vs.

1. The Tamil Nadu Public Service Commission,
Frazer Bridge Road, V.O.C Nagar,
Near Govt. Dental College & Fort Rly. Station,
Chennai - 600 009.
2. The Secretary,
Government of Tamil Nadu,
Personnel & Administration Reforms Department,
Fort St.George, Chennai - 9. ... Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India, for issuance of a writ of Mandamus to consider and appoint forthwith the petitioner to any one of the posts included in the Combined Subordinate Services-1 with reference to advertisement No.19A dated 13.06.2012 on the basis of his merit selection with Register No.50101229 on the basis of the Graduation Certificate issued by the Indian Army and to extend all benefits thereto.

For Petitioner : M/s.L.Chandrakumar
For Respondents: Mr.M.Loganathan for R1
Mr.A.Ansar for R2.
Government Advocate.

O R D E R

The relief sought for in the present writ petition is to consider and appoint forthwith the petitioner to any one of the posts included in the Combined Subordinate Services-1 with reference to advertisement No.19A dated 13.06.2012 on the basis of his merit selection with Register No.50101229 on the basis of the Graduation Certificate issued by the Indian Army and to extend all benefits.

2. The learned counsel for the writ petitioner states that, the writ petitioner is an Ex-Serviceman and served in Indian Army. Considering his meritorious service, the Indian Army issued a graduation certificate to the writ petitioner on 29.02.2004. In view of the graduation certificate obtained by the writ petitioner, he is entitled for appointment in Group-C post in Tamil Nadu State Service.

3. The learned counsel for the writ petitioner states that, the graduation certificate issued by the Indian Army should be treated equivalent to that of the Under Graduate degree granted by the Universities across the country.

4. However, this Court is of an opinion that in the absence of granting equivalence by the Competent Authority under the Rules, the same cannot be recognized as a valid Under Graduate degree for the purpose of providing appointment to the writ petitioner under the Tamil Nadu Government Services.

5. The learned counsel for the Tamil Nadu Public Service Commission contended that, the case of the writ petitioner was considered with reference to the graduation certificate issued by the Indian Army in favour of the writ petitioner. The Government letter No. 65732/S/07-1 dated 25.01.2008, Personnel & Administrative Reforms (S) Department, it is stated as under:-

" No orders have been issued equating the degrees obtained in the Army, Navy and Air-force with that of the degrees given by Universities listed out in schedule II to General Rules for Tamil Nadu State and Subordinate Services and hence the Graduation Certificate issued by the Army, Navy and Air-force cannot be considered for the purpose of employment in Public Service."

6. In view of the fact that, the Government of Tamil Nadu has not granted equivalence in respect of the graduation certificate issued by the Indian Army, in case of the writ petitioner cannot be considered and as such relief sought for in this present writ petition deserves no further consideration.

Thus the writ petition stands dismissed. There shall be no order as to Costs. Consequently connected miscellaneous petition is dismissed.

Sd/-

Assistant Registrar(CS)

//True Copy//

pkn

Sub Assistant Registrar

To

1. The Tamil Nadu Public Service Commission,
Frazer Bridge Road, V.O.C Nagar,
Near Govt. Dental College & Fort Rly. Station,
Chennai - 600 009.

2. The Secretary,
Government of Tamil Nadu,
Personnel & Administration Reforms Department,
Fort St.George, Chennai - 9.

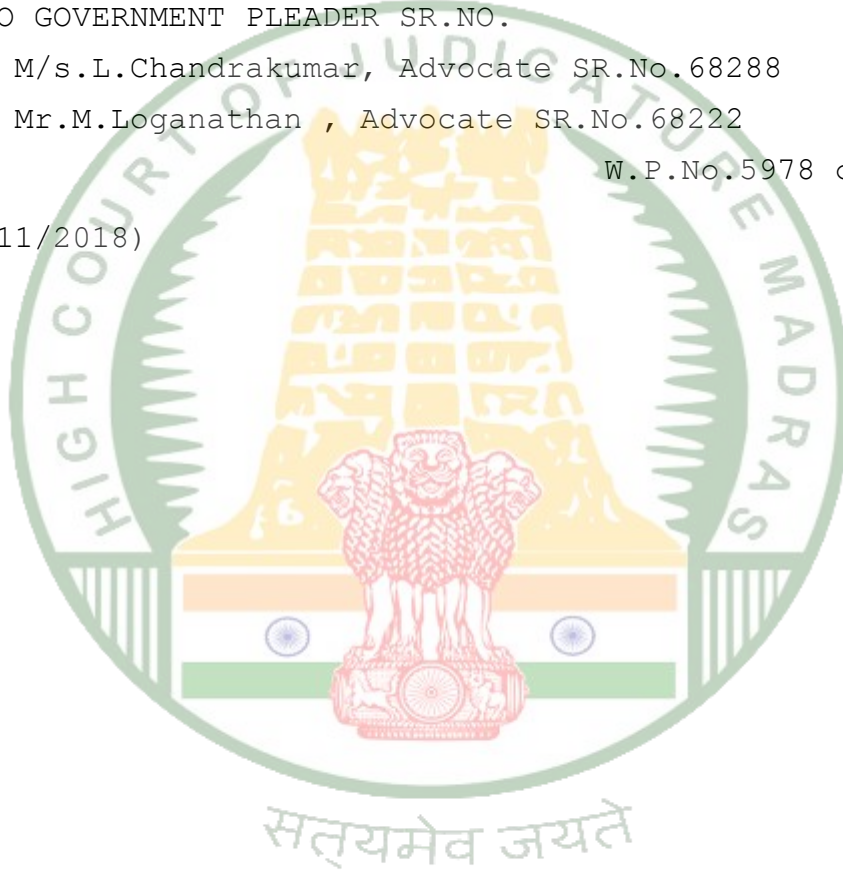
+1 CC TO GOVERNMENT PLEADER SR.NO.

+1cc to M/s.L.Chandrakumar, Advocate SR.No.68288

+1cc to Mr.M.Loganathan , Advocate SR.No.68222

W.P.No.5978 of 2013

ASK(02/11/2018)



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