

IN THE HIGH COURT OF JUDICATURE AT MADRAS
Dated: 15.03.2018
Coram

THE HONOURABLE Mr. JUSTICE K.K.SASIDHARAN
AND
THE HONOURABLE Mr. JUSTICE P.VELMURUGAN

W.A.No.1949 of 2013
and M.P.No.1 of 2013

1.The Member Secretary
Teachers Recruitment Board
DPI Compound, College Road
Chennai.

2.The Joint Director of School Education (Establishment)
DPI Compound, College Road
Chennai. ... Appellants/Respondents

Vs.

P.Nithya Devi ... Respondent/Petitioner

Writ Appeal filed under Clause 15 of Letters Patent to set-aside the order dated 01.02.2013 made in W.P.No.1962 of 2013 on the file of this Court.

WP.No.1962 of 2013:Petition filed under Article 226 of the Constitution of India praying for issuance of writ of Certiorarified Mandamus to call for the entire records relating to the impugned order passed by the 2nd respondent in his proceedings Na.Ka.No.096599/C3/E2/2012 dated 11.1.2013 and quash the same and consequently direct the respondents to reinstate the petitioner into service with all attendant benefits including the continuity of service

For Appellants : Mr.K.Karthikeyan
Government Advocate

For Respondent : No appearance

J U D G M E N T

[Judgment of the Court was delivered by K.K.SASIDHARAN,
J.]

The appointment of the respondent was cancelled by the Director of School Education by order dated 11 January, 2013 on the ground that she got B.Sc. Mathematics with Computer Applications as a basic degree and subsequently, got M.Sc. Mathematics. According to the Education Department, such a

degree is not recognised for appointment to the post of Graduate Assistant in Mathematics. The writ petition filed by the respondent was allowed by the learned single Judge on the ground that as on the date on which the impugned order was passed, the Equivalence Committee has already passed an order declaring that the integrated course in M.Sc. Mathematics with Computer Applications and Post-Graduate Programmes in M.Sc. Mathematics with Computer Applications are equivalent to Mathematics for the purpose of appointment in public service. Feeling aggrieved by the said order, the appellants have come up with this intra court appeal.

2. The learned Government Advocate, on instructions, submitted that in view of the order passed by the Equivalence Committee with regard to the qualification in question, the respondent was subsequently appointed as Post Graduate Assistant in Mathematics. During the currency of this appeal, another Government Order in G.O.Ms.No.72 Higher Education (K2) Department, dated 30 April, 2013 was issued declaring the equivalence of the degree.

3. In view of the subsequent events, nothing survives for adjudication in the present intra court appeal. No costs. Consequently connected miscellaneous petition is closed.

The intra court appeal is disposed of taking into account the subsequent events.

Sd/-

Assistant Registrar(CCC)

//True Copy//

Sub Assistant Registrar

gms

To

1.The Member Secretary
Teachers Recruitment Board
DPI Compound, College Road
Chennai.

2.The Joint Director of School Education (Establishment)
DPI Compound, College Road
Chennai.

+1 cc to Govt Pleader sr 20451

W.A.No.1949 of 2013

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