



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 21.02.2018

CORAM

WEB COPY

THE HON'BLE MR.JUSTICE S.M.SUBRAMANIAM

W.P.(MD) No.19404 of 2013

V.Ganesan

... Petitioner

-vs-

1. The Chairman,
Tamil Nadu Pollution Control Board,
No.76, Mount Road,
Guindy, Chennai- 600 032.

2. The Joint Director,
Labour and Employment Office,
Guindy,
Chennai - 600 032.

3. The District Employment Officer,
K.Pudur,
Madurai.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the first respondent to allow the petitioner for Certificate Verification for the post of Assistant Engineer followed by written test by treating the Civil Engineering and Civil Structural Engineering as equivalent subjects.

For Petitioner	: Mrs.P.Kalaiyarasi Bharathi
For Respondents	: Mr.R.Sethuraman
1 to 3	Special Government Pleader

O R D E R

The relief sought for in this Writ Petition is to direct the first respondent to allow the petitioner for Certificate Verification for the post of Assistant Engineer followed by written test by treating the Civil Engineering and Civil Structural Engineering as equivalent subjects.



country, the Government has to refer the matter to Equivalence Committee and an order to be issued. In the absence of any Government Order in this regard, the Court cannot grant equivalence in respect of various degrees awarded by the University. The Writ Petitioner has not established nor submitted any Government Order in this regard. This apart, the claim of the Writ Petitioner is that he must be allowed to participate in the Certificate Verification. The candidature of the Writ Petitioner was negatived on the ground that he is not having the required educational qualification. The same cannot be countenanced by way of a Writ Petition. Equivalence of degrees cannot be granted by the Courts and rule prescribes certain procedures to be followed and therefore, the relief sought for is misconceived. This apart, the Writ Petitioner was disqualified on account of the fact that he was not possessing the prescribed qualification as per the notification for appointment to the post of Assistant Engineer. This being the factum of the case, the Writ Petitioner has not established any legal right for issuing any such direction directing the first respondent to allow the Writ Petitioner for Certificate Verification. However, the selection which is under challenge in this Writ Petition is of the year 2013. Now the post of Assistant Engineer is to be filled up by Open Competitive Process, by issuing notification widely. The procedure for selection itself had underwent changes. This being the factum, it is left open to the Writ Petitioner to participate in the Open Competitive Process for the purpose of securing public employment, more specifically, to the post of Assistant Engineer. Thus the Writ Petitioner has not established even a semblance of legal right for issuing any such direction, as such sought for in this Writ Petition.

3. Accordingly, the Writ Petition stands dismissed. However, there shall be no order as to costs.

Sd/-

Assistant Registrar (CS-II)

/True Copy/

Sub Assistant Registrar

To

1. The Chairman,
Tamil Nadu Pollution Control Board,
No.76, Mount Road,

<https://hcservices.tn.nic.gov.in/HCServices/Details.aspx?Cid=1> Chennai- 600 032.



2. The Joint Director,
Labour and Employment Office,
Guindy,
Chennai - 600 032.

WEB COPY

3. The District Employment Officer,
K.Pudur,
Madurai.

+ 1 CC TO Mrs.P.KALAIYARASI BHARATHI, ADVOCATE IN SR No. 50098
+ 1 CC TO SPECIAL GOVERNMENT PLEADER IN SR No. 50578

VSN

TE/KKR/SAR-3 : 05/03/2018 : 3P/6C

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