

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED : 28.01.2019

Coram

THE HONOURABLE MR. JUSTICE M.V.MURALIDARAN

W.P.No.35191 of 2012 and
M.P.Nos.1 of 2012 and 3 of 2013

Dr.N.Sangeetha

... Petitioner

versus

1. The Secretary,
Department of Higher Education,
Government of Tamilnadu,
Fort St. George,
Chennai-600 009.
2. The Chairman,
Teachers Recreuitment Board,
4th Floor, E.V.K.Sampath Maaligai,
College Road,
Chennai-600 006.
3. The Tamilnadu Public Service Commission,
Chennai.
(R3 suo motu impleaded as per order
of this Court dated 21.12.2018)

.... Respondents

Prayer : The Writ petition has been filed to issue a writ of certiorarified Mandamus against the respondents by calling for the entire records pertaining the passing of the Impugned notification dated:18/10/2012 and quash and further direct respondents herein to recruit the petitioner as Assistant Professor (industrial Biotechnology) in Government Engineering College as per the notification dated 11.02.2012 in Advertisement No.01 of 2012.
(Prayer amended as per order dt:31/01/2013 by KCJ in MP.1/2013 WP.35191/2012.)

For Petitioner : Mr.C.Umashanker

For Respondents : Mr.A.Rajaperumal, (for R1 , R2)
Additional Government Pleader
Mr.M.Loganathan (for R3)

JUDGMENT

This Writ petition is filed, seeking a direction to the respondents herein to recruit the petitioner as Assistant Professor (Industrial Biotechnology) in Government Engineering College as per the notification dated 11.02.2012 in Advertisement No.01 of 2012.

2. Earlier, this Court by an order dated 09.01.2019, directed the Secretary to Government, Higher Education (J1) Department, Secretariat, Chennai - 600 009 to produce the equivalence certificate in respect of the petitioner's Educational qualification.

3. Pursuant to the order dated 09.01.2019, the Additional Secretary to Government, Higher Education (J1) Department, Secretariat, Chennai - 600 009 has sent a letter in letter No.17259/J1/2018-5, dated 23.01.2019 wherein it is stated that the educational qualifications possessed by the candidate is not equivalent to the courses. The relevant paragraph is extracted hereunder:

"5. The Government after careful examination, accept the recommendation of the Expert Committee meeting constituted by the Tamilnadu State Council for Higher Education and direct that the following educational qualifications possessed by the candidates is not equivalent to the courses mentioned therein:

Name of the courses	Equivalent/ Not Equivalent
Public Services - Educational Qualification - Consideration of B.Sc. (Bio-Chemistry) awarded by Bharathidasan University as to whether equivalent to B.E./B.Tech. (Industrial Bio Technology) for the purpose of employment in Public Services	Not Equivalent

Name of the courses	Equivalent/ Not Equivalent
Public Services - Educational Qualification - Consideration of M.Sc. (Bio-Chemistry) awarded by Bharathidasan University as to whether equivalent to M.E./M.Tech. (Industrial Bio Technology) for the purpose of employment in Public Services	Not Equivalent

6. The higher qualification of the petitioner in W.P.No.35191/2012 ie.M.Phil.(Bio Technology) and Ph.D (Bio-Chemistry) are not considered for equivalence because, it is not the basic qualification fixed for the post of Assistant Professor (Industrial Bio Technology) notified by the Teachers Recruitment Board."

4. In view of the above, nothing survives for further adjudication. Therefore, this writ petition is dismissed as infructuous. However, the petitioner is at liberty to challenge the order passed by the Additional Secretary to Government, Higher Education (J1) Department, Secretariat, Chennai -600 009 dated 23.01.2019, in the manner known to law. Consequently, connected Miscellaneous petitions are closed. No costs.

Sd/-
Assistant Registrar(CCC)

//True Copy//

Sub Assistant Registrar

TO

1. The Secretary,
Department of Higher Education,
Government of Tamilnadu,
Fort St. George,
Chennai-600 009.

WEB COPY

2. The Chairman,
Teachers Recreuitment Board,
4th Floor, E.V.K.Sampath Maaligai,
College Road,
Chennai-600 006.

3. The Tamilnadu Public Service Commission,
Chennai.

+1cc to Mr.C.Umashanker, Advocate, S.R.No.6453

+1cc to the Government Pleader, S.R.No.7562

W.P.No.35191 of 2012 and
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NRL (CO)
GSP (15/02/2019)



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