

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :19.11.2019

CORAM

THE HON'BLE MR.JUSTICE M.DHANDAPANI

W.P.Nos.27569 of 2016 & 14168 of 2018

&

W.M.P.Nos.23752 of 2016 & 16735 of 2018

W.P.No.27569 of 2016

A.Gopal

.. Petitioner

Vs.

1.The Director of Elementary Education,
DPI Campus, College Road,
Chennai - 600 006

2.The Appellate Authority & Joint Director of
Elementary Education (Admn),
Directorate of Elementary Education,
DPI Campus, College Road,
Chennai - 600 006

3.The District Elementary Educational Officer,
Krishnagiri District,
Krishnagiri.

4.The Assistant Elementary Educational Officer,
Sulagiri,
Krishnagiri District

.. Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus, to call for the records relating to the impugned proceedings issued by the 3rd respondent in Na.Ka.No.273/A6/2016 dated 29.07.2016 and the subsequent impugned proceedings issued by the 2nd respondent in Na.Ka.No.003616/E2/2016 dated 02.08.2016 and to quash the same and consequently directing the respondents to include the name of the petitioner in the panel for promotion to the post of BT Assistant (Science) in Sulagiri Union, Krishnagiri District and to promote the petitioner to the post of BT Assistant (Science) in the existing vacancy with all consequential and other attendant benefits.

For Petitioner : Mr.G.Sankaran
For Respondents : Ms.P.Kavitha
Government Advocate

W.P.No.14168 of 2018

A.Gopal

.. Petitioner

Vs.

1.The Director of Elementary Education,
DPI Campus, College Road,
Chennai - 600 006

2.The District Educational Officer,
Krishnagiri District.

3.The Block Educational Officer,
Sulagiri,
Krishnagiri District.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, to direct the respondents herein to evaluate the B.Sc Degree obtained by the petitioner from Dr.Ambedkar Open University, Hyderabad, as equivalent to that of B.Sc degree in Zoology obtained by the University of Madras in its official communication Ref.EOC/B.Sc-Zoo/ Dr.B.R.Ambed/May 2017/122 dated 03.05.2017 and accordingly include the name of the petitioner in the panel for promotion to the post of B.T.Assistant (Science) in Sulagiri Panchayat Union as on 01.01.2018 and consequently grant the petitioner with promotion to the post of B.T. Assistant (Science) with all attendant service and monetary benefits.

For Petitioner : Mrs.Dakshyani Reddy
For Respondents : Ms.P.Kavitha
Government Advocate

C O M M O N O R D E R

Since both these Writ Petitions emerge from the very same issue, this Court is passing a common order.

2. The Writ Petitions have been filed seeking for direction to the respondents to consider the degree of the petitioner obtained from Dr.Ambedkar Open University, Hyderabad after undergoing studies in 10+2+3 pattern as equivalent to the degree obtained from the Madras University, based upon the "equivalent certificate" issued by the Madras University dated 03.05.2017 and to quash the impugned proceedings issued by the 3rd

respondent in Na.Ka.No.273/A6/2016 dated 29.07.2016 and the subsequent impugned proceedings issued by the 2nd respondent in Na.Ka.No.003616/E2/2016 dated 02.08.2016. Though the petitioner submitted the certificate of equivalence declaring that the degree obtained by the petitioner from Dr.Ambedkar Open University is equivalent to the degree from the University of Madras, the 2nd respondent did not include the name of the petitioner in the panel of promotion. Hence, the present Writ Petitions have been filed.

3. Mrs.Dakshyani Reddy, learned counsel appearing for the petitioner would submit that though the petitioner obtained equivalent certificate from the University of Madras, the same was not declared as equivalent by the 2nd respondent. Therefore, she prayed this Court to give direction to the 2nd respondent to pass appropriate orders on the petitioner's request in accordance with law.

4. Ms.P.Kavitha, learned Government Advocate appearing for the respondents agreed to consider the petitioner's request.

5. Considering the facts and circumstances of the case, I am inclined to issue direction to the 2nd respondent to pass appropriate orders on the petitioner's request, within a period of four weeks, from the date of receipt of a copy of this order, in accordance with law.

6. The Writ Petitions are disposed of on the above lines. No costs. Consequently, connected Miscellaneous Petitions are also closed.

s/d-
Assistant Registrar (CS-III)

True Copy

Sub-Assistant Registrar

To

1.The Director of Elementary Education,
DPI Campus, College Road,
Chennai - 600 006

2.The Appellate Authority & Joint Director of
Elementary Education (Admn),
Directorate of Elementary Education,
DPI Campus, College Road,
Chennai - 600 006

3.The District Elementary Educational Officer,
Krishnagiri District,
Krishnagiri.

4.The Assistant Elementary Educational Officer,
Sulagiri,
Krishnagiri District

5.The Block Educational Officer,
Sulagiri,
Krishnagiri District.

6. The District Educational officer
Krishnagiri District
Krishnagiri

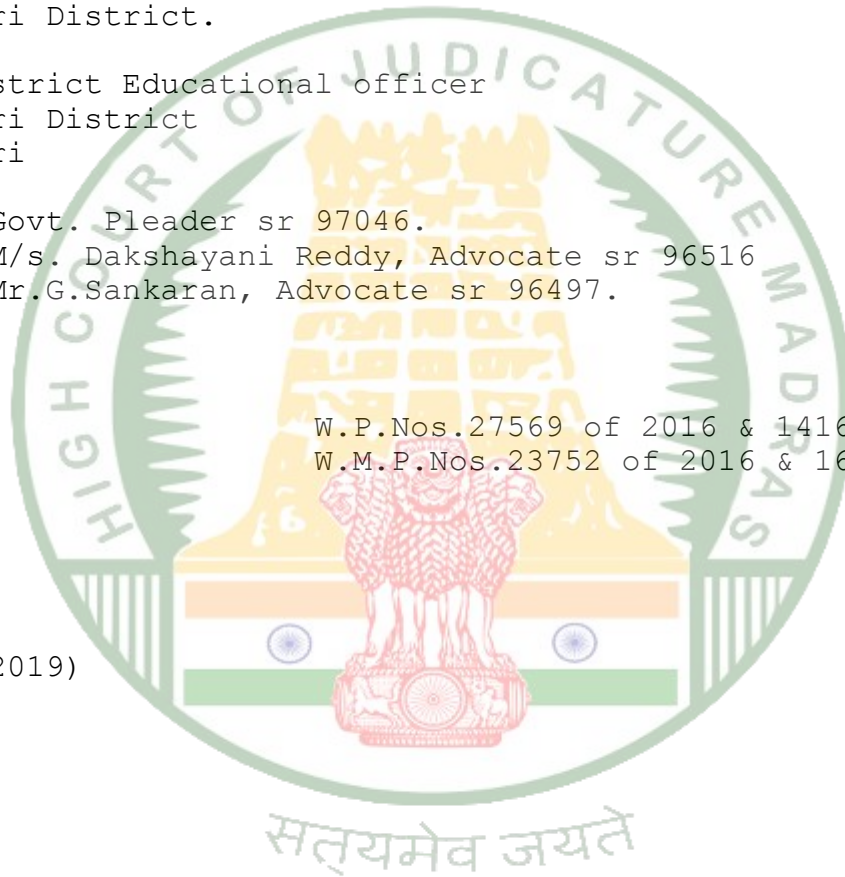
+1 CC to Govt. Pleader sr 97046.

+1 CC to M/s. Dakshayani Reddy, Advocate sr 96516

+1 CC to Mr.G.Sankaran, Advocate sr 96497.

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RV(CO)
SP(04/12/2019)



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