

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 06.08.2019

CORAM

THE HONOURABLE MR. JUSTICE V.PARTHIBAN

W.P.Nos.16111 & 16113 of 2019

D.Satheesh Kumar
R.Ganesamoorthy

..Petitioner in WP.No.16111 of 2019
..Petitioner in WP.No.16113 of 2019

.Vs.

- 1.The State of Tamil Nadu,
rep. by its Principal Secretary,
Department of School Education,
Secretariat, St. George Fort,
Chennai-600 009
- 2.The Member Secretary,
Tamil Nadu Council for Higher Education,
Lady Wellington College Campus,
Kamarajar Salai,
Triplicane, Chennai
- 3.The Director of School Education,
DPI Campus, 17, College Road,
Thousand Lights West,
Subharao Avenue,
Nungambakkam,
Chennai
- 4.The Chairman,
Teachers Recruitment Board,
4th Floor, EVK Sampath Maaligai,
DPI Compound,
College Road, Chennai
- 5.The Registrar,
Periyar University,
Salem-636 011
Salem District.

...Respondents in both WPs

Petitions filed under Article 226 of The Constitution of India praying for issuance of a Writ of Mandamus

(i) to direct the respondents to issue an equivalence certificate to the effect that M.Sc (Applied Science and Computer Technology) Course is equivalent to Master Degree in

Computer Science or Information Technology for the purpose of employment in Direct Recruitment for the post of Computer Instructors Grade-1(Post Graduate Cadre) called for by the 4th respondent in Notification No.9 of 2019 dated 01.03.2019 by considering the petitioner's representation dated 14.05.2019 (prayer in WP.No.16111 of 2019).

(ii) to direct the respondents to issue an equivalence certificate to the effect that M.Sc (Computer Communication) Course is equivalent to Master Degree in Computer Science or Information Technology for the purpose of employment in Direct Recruitment for the post of Computer Instructors Grade-1(Post Graduate Cadre) called for by the 4th respondent in Notification No.9 of 2019 dated 01.03.2019 by considering the petitioner's representation dated 14.05.2019 (Prayer in WP.No.16113 of 2019).

For Petitioner(in both Wps) : Mr.B.Gopalakrishnan

For Respondents(in both Wps): Mr.K.Karthikeyan,
GA for R1 & 3

: Mr.C.Munusamy,
Spl. G.P. for R4

: Mr.H.Mary Sowmi Rexi for
M/s.Isaac Chambers for R5

For R2(in both Wps) : No Appearance

ORDER

These writ petitions have been filed seeking for issuance of a Mandamus to direct the respondents to issue equivalence certificates to the effect that M.Sc (Applied Science and Computer Technology) and M.Sc (Computer Communication) Courses are equivalent to Master Degree in Computer Science or Information Technology for the purpose of employment by Direct Recruitment for the post of Computer Instructors Grade-1 (Post Graduate Cadre) called for by the 4th respondent vide Notification No.9 of 2019 dated 01.03.2019 by considering the petitioners' representation dated 14.05.2019.

2. In fact, in similar Writ Petitions in WP (MD) Nos. 9185 to 9242 of 2019 etc. batch, a learned Judge of this Court sitting in Madurai Bench passed order dated 27.04.2019, directing the respondents therein to consider the claim of the petitioners therein for issuing necessary certificates. The observation made by the learned Single Judge as found in Paragraph no.6 of the said order is extracted hereunder:

"6.Having regard to the submissions made on either side, the Equivalence Committee is directed to consider the claim of the

petitioners and issue necessary certificates, if the petitioners are otherwise found eligible. Such an exercise shall be completed within a period of four weeks from the date of receipt of a copy of this order. If the Equivalence Committee decides the claim of the petitioners in their favour, the selection process may go on. If the claim of the petitioners are rejected, they shall not claim any equity on those lines and the respondents shall proceed in accordance with law''.

3. Since the petitioners herein are identically placed and they also seek the same direction as directed by the learned Single Judge of this Court as mentioned above and after hearing the learned counsel appearing for the respondents, this Court disposes of the present Writ Petitions, as under:

"The respondents are directed to consider the claim of the petitioners and issue necessary certificates if the petitioners' claim is found eligible to be considered, as equivalent to the qualification prescribed by the 4th respondent for recruitment to the post of Computer Instructor Grade-I (Post Graduate Cadre). The respondents/competent authority are directed to take a call in this regard and consider the qualification of the petitioners as to whether the qualification obtained by the petitioners namely, M.Sc (Applied Science and Computer Technology) and M.Sc (Computer Communication) Courses are equivalent to Master degree in Computer Science or Information Technology. In case the qualification of the petitioners' claim is found to be equivalent, necessary certificates to be issued by the competent authority in favour of the petitioners. On the basis of the certificates issued, the petitioners shall make further claim in regard to the reliefs as prayed for in these writ petitions. The authorities concerned are directed to pass appropriate orders within a period of four weeks from the date of receipt of a copy of this order. No costs."

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

To

1. The Principal Secretary,
Govt.of Tamil Nadu,
Department of School Education,
Secretariat, St. George Fort,
Chennai-600 009
- 2.The Member Secretary,
Tamil Nadu Council for Higher Education,
Lady Wellington College Campus,
Kamarajar Salai,
Triplicane, Chennai
- 3.The Director of School Education,
DPI Campus, 17, College Road,
Thousand Lights West,
Subharao Avenue,
Nungambakkam,
Chennai
- 4.The Chairman,
Teachers Recruitment Board,
4th Floor, EVK Sampath Maaligai,
DPI Compound,
College Road, Chennai
- 5.The Registrar,
Periyar University,
Salem-636 011
Salem District.

+2cc to Mr.B.Gopalakrishnan, Advocate, SR.No.66961 & 66962
+1cc to M/s.Isaac Chambers, Advocates, vide SR.No.67872
+1cc to the Govt.Pleader, Vide Sr.No.68098 & 68100

सत्यमेव जयते

W.P.No.16111 & 16113 of 2019

Kak (27/08/2019)

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