



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 17.06.2019

CORAM

THE HONOURABLE MR.JUSTICE D.KRISHNAKUMAR

W.P(MD) No.13088 of 2019

and

WMP(MD)Nos.9765 and 9766 of 2019

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J.Angeline

... Petitioner

vs.

- 1.The Secretary to the Government,
Higher Education Department,
St. George Fort,
Chennai.
- 2.The Secretary to the Government,
School Education Department,
St. George Fort,
Chennai.
- 3.The Chairman,
Teacher Recruitment Board,
EVK Sampath Maligai,
DPI Complex,
College Road,
Chennai - 006.
- 4.The Director of School Education,
School Education Department,
DPI Complex,
College Road,
Chennai - 006.
- 5.Tamil Nadu Public Service Commission,
rep.by its Member Secretary,
Equivalent Committee,
Frazer Bridge Road,
V.O.C.Nagar, Park Town,
Chennai - 600 003.
- 6.The Chief Educational Officer,
Pudukottai District,
Pudukottai.
- 7.The District Education Officer,
Pudukottai District,
Pudukottai.



8.The Correspondent,
T.E.L.C.Higher Secondary School,
Pudukottai,
Pudukottai District.

... Respondents

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Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the respondents to consider the representation dated 12.06.2019 and consequently recommend the Government to pass necessary order. (Prayer amended vide the order dated 17.06.2019 in WMP(MD)No.10110 of 209).

For Petitioner	:	Mr.N.Mohideen Basha
For Respondents		
1, 2, 4, 6 & 7	:	Mrs.S.Srimathy Special Government Pleader
For R3	:	Mr.V.R.Shanmuganathan Special Government Pleader
For R5	:	Mr.K.K.Senthil

O R D E R

This writ petition has been filed seeking direction to the respondents to consider the representation of the petitioner dated 12.06.2019 and consequently recommend the Government to pass necessary order.

2.Heard the learned counsel for the petitioner; the learned Special Government Pleaders for the respondents 1 to 3, 4, 6 and 7 and the learned Standing counsel for the fifth respondent.

3.According to the petitioner, she got bachelor degree in B.E. (EEE) and subsequently she completed B.Ed., degree in Maths and as such, the petitioner is qualified to hold the post of B.T.Assistant (Maths) as specialized subject. The petitioner was appointed as B.T.Assistant (Maths) in the eighth respondent school. Seeking approval of the said appointment, the eighth respondent sent proposals to the sixth respondent, but, the same was returned vide the proceedings dated 20.02.2019 stating that unless an equivalence certificate is produced, the appointment of the petitioner could not be approved. Challenging the same, this writ petition has been filed.

4.Subsequent to the filing of the present writ petition, the petitioner has filed an amendment petition in WMP(MD)No.10110 of 2019 seeking to amend the prayer to the extent of seeking a direction to the respondents to consider the petitioner's representation dated 12.06.2019 and the same was allowed on 17.06.2019.



5.The learned counsel for the petitioner submitted that the petitioner has made a representation dated 12.06.2019 to the first respondent and it would suffice if the said representation is directed to the considered by the first respondent in respect of the claim made therein.

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6.The learned Special Government Pleader appearing for the first respondent submitted that the petitioner has made the representation only on 12.06.2019 and the same will be considered on merits and in accordance with law, within the time frame to be fixed by this Court.

7.Considering the submissions made on either side, this Court, without expressing any opinion on the merits of the matter, directs the first respondent to forward the petitioner's representation dated 12.06.2019 to the Government/second respondent herein within a period of one week from the date of receipt of a copy of this order and thereafter, the Government shall forward the same to the Equivalence Committee to decide the equivalency of the petitioner's subjects. The said exercise shall be completed by the second respondent herein within a period of six weeks thereafter. If the petitioner's claim is considered by the Government, then, approval of the petitioner's appointment to the post of B.T.Assistant (Maths) shall be considered. It is made clear that if the claim of the petitioner is rejected, she shall not claim any equity on those lines and the respondents shall proceed in accordance with law.

8.The writ petition is disposed of with the above direction. No costs. Consequently, WMP(MD)Nos.9765 and 9766 of 2019 are closed.

Sd/-

Assistant Registrar(CS-II)

// True Copy //

Sub Assistant Registrar(CS)

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To

1.The Secretary to the Government,
Higher Education Department,
St. George Fort, Chennai.

2.The Secretary to the Government,
School Education Department,
St. George Fort, Chennai.



3.The Chairman,
Teacher Recruitment Board,
EVK Sampath Maligai,
DPI Complex, College Road,
Chennai - 006.

4.The Director of School Education,
School Education Department,
DPI Complex, College Road,
Chennai - 006.

5.The Chief Educational Officer,
Pudukottai District, Pudukottai.

6.The District Education Officer,
Pudukottai District, Pudukottai.

+1CC TO MR.K.K.SENTHIL, Advocate Sr. No. 69329

W.P(MD) No.13088 of 2019
17.06.2019

GRL(CO)
TR (28.06.2019) 4P 8C