



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 03.07.2019

CORAM:

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P. (MD) No.17793 of 2014

and

M.P. (MD) Nos.1 and 2 of 2014

Muthu Meenal

... Petitioner

-Vs-

1.The Chairman,
Teachers Recruitment Board,
4th Floor, EVK Sampath Maaligai,
DPI Compound,
College Road, Chennai-600 006.

2.The Director,
Directorate of Employment and Training,
Thiru.Vi.Ka.Industrial Estate,
Guindy, Chennai-600 032.

3.The District Employment Officer,
District Employment Office,
Ramnad-623 504.

4.The Registrar,
Madurai Kamaraj University,
Madurai-625 021.

...Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India, praying for the issuance of a Writ of Mandamus, directing the respondents 2 and 3 to sponsor the petitioner's name to the first respondent for the post of Computer Instructor as per State Level Employment Registration Seniority list and consequently, direct the first respondent to provide appointment to the petitioner as a Computer Instructor as per notification in Advertisement No.76/2014 in the services of the Government of Tamil Nadu dated 13.10.2014 on the file of the first respondent.



For Petitioner : Mr.R.Karunanidhi
For R1 : Mr.V.R.Shanmuganathan,
Special Government Pleader.
For R2 and R3 : Mrs.S.Srimathy,
Special Government Pleader.
For R4 : Mr.S.Chandrasekar

ORDER

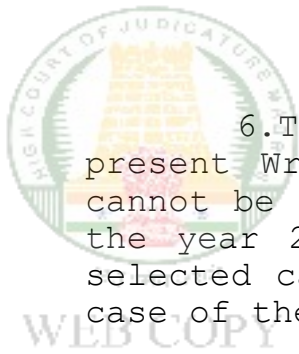
The relief sought for in the present Writ Petition is for a direction to direct the respondents 2 and 3 to sponsor the name of the writ petitioner to the first respondent for the post of Computer Instructor as per the State Level Seniority List and consequently, direct the first respondent to appoint the writ petitioner as Computer Instructor.

2.Pursuant to the recruitment notification in Advertisement No.07/2014, dated 13.10.2014, eligible candidates were sponsored by the District Employment Exchange for selection and appointment. The grievance of the writ petitioner is that her name was not sponsored by the District Employment Exchange.

3.The learned counsel appearing on behalf of the writ petitioner states that the writ petitioner has completed B.Sc., in Home Science General with Computer Application, which is equivalent to B.Sc., (Computer Science). Therefore, the name of the writ petitioner ought to have been sponsored for appointment to the post of Computer Instructor as per the notification dated 13.10.2014.

4.The learned Special Government Pleader appearing on behalf of the respondents opposed the contention by stating that the Government has not granted any equivalency with reference to the qualification of B.Sc., in Home Science General with Computer Application as well as the B.Sc. (Computer Science). In the absence of such equivalence as per the rules in force, the writ petitioner cannot claim appointment based on the qualification of B.Sc., in Home Science General with Computer Application, Granting equivalence, which is to be done with reference to the rules in force. In this regard, a committee is to be appointed and only if the committee may recommend the Government to issue orders granting equivalence and not otherwise.

5.The learned Special Government Pleader appearing on behalf of the respondents further brought to the notice of this Court that now, minimum educational qualifications for appointment to the post of Computer Instructor has been enhanced as Post Graduate with B.Ed.



6.This being the factum, the relief as such sought for in the present Writ Petition to sponsor the name of the writ petitioner cannot be granted. This apart, the recruitment notification was of the year 2014 and the process of selection was concluded and the selected candidates were appointed. Under these circumstances, the case of the writ petitioner deserves no merit consideration.

7.Accordingly, this Writ Petition stands dismissed. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar (AD-I)

/ True Copy /

Sub Assistant Registrar (CS-)

To

- 1.The Chairman,
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DPI Compound,
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- 2.The Director,
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- 3.The District Employment Officer,
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Myr
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