



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

**DATED 17.09.2019
CORAM**

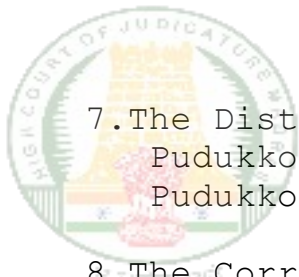
**THE HONOURABLE MR.JUSTICE T.S.SIVAGNANAM
AND
THE HONOURABLE MRS.JUSTICE R.THARANI
W.A. (MD)No.939 of 2019
and
CMP(MD)No.8510 of 2019
against WP(MD)NO.13088 OF 2018**

J.Angeline

.. Appellant /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,
Represented by it's Member Secretary,
Equivalent Committee, Frazer Bridge Road,
V.O.C.Nager, Park Town,
Chennai - 600 003.
- 6.The Chief Educational Officer,
Pudukkottai District,
Pudukkottai.



7.The District Education Officer,
Pudukkottai District,
Pudukkottai.

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

... Respondents

PRAYER: Writ Appeal filed under Clause 15 of Letters Patent, against the order passed by this Court in W.P.(MD).No.13088 of 2019, dated 17.06.2019.

Prayer in WP(MD). 13088/ 2019 :

Writ Petition is filed under Article 226 of the Constitution of India, praying to issue a (*) Writ of Mandamus directing the respondents consider the representation dated 12.06.2019 and consequently recommend the government to pass necessary order.(*) Prayer is amended vide Court order dated 17.06.2019 in WMP(MD)No.10110/2019.

For Appellant : Mr.Prahalad Ravi
For J.Muneer Khan
For Respondents : Mr.A.K.Baskarapandian
(R1 to R4, R6 & R7) Spl.Govt.Pleader
For Respondents-5 : Mr.K.K.Senthil

JUDGMENT

[Judgment of the Court was delivered by T.S.SIVAGNANAM, J.]

Heard Mr.Prahalad Ravi, learned counsel appearing for the appellant, Mr.A.K.Baskarapandian, learned Special Government Pleader for R1 to R4, R6 & R7 and Mr.K.K.Senthil, learned counsel for R8.

2. This appeal filed by the appellant is directed against the order in W.P.(MD).No.13088 of 2019, dated 17.06.2019.

3. The question which fell for consideration before the Writ Court was whether the appellant was eligible to be appointed as a B.T.Assistant in Mathematics, as she had a Bachelor Degree in Engineering and subsequently completed B.Ed., Degree in Mathematics. The learned Writ Court directed the Secretary to Government, Higher Education Department, to forward the petitioner's request for approval of her qualification to the 2nd respondent viz., the Secretary to Government, School Education Department, who in turn, was directed to forward the same to the Equivalence Committee, constituted by the Government, to decide the equivalence of appellant's qualification with that of the prescribed under the relevant Rule. A time frame



was also fixed for compliance of the said direction.

4. The appellant appears to have been aggrieved by the observation made by the paragraph 7 of the impugned order wherein, the learned Single Bench had stated that in the event the Equivalence Committee, rejects the appellant's request for treating her to have possessed the requisite qualifications, the appellant shall not claim any equity.

5. In our considered view, such an observation is not required to be made in the matter, since it is for the Equivalence Committee, which is the expert body, which will decide as to whether the qualifications possessed by the appellant is equivalent to the qualifications prescribed for B.T. Assistant in Mathematics.

6. Therefore, we dispose of this appeal by making a slight modification to the order passed in the Writ Petition, by deleting the sentence in the order stating that the appellant cannot claim any equity. With regard to the other direction, we confirm the order passed in the Writ Petition and extend the time for a period of six weeks from the date of receipt of a copy of this Judgment. No costs. Consequently, the connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (CS-II)

// True Copy //

Sub Assistant Registrar(CS)

MPK

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,
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5.Tamil Nadu Public Service Commission,
Represented by it's Member Secretary,
Equivalent Committee, Frazer Bridge Road,
V.O.C.Nager, Park Town,
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6.The Chief Educational Officer,
Pudukkottai District,
Pudukkottai.

7.The District Education Officer,
Pudukkottai District,
Pudukkottai.

+1 CC to M/s.J.MUNEER KHAN, Advocate (SR-87902[F] dated
19/09/2019)

W.A. (MD) No.939 of 2019
17.09.2019

KM/(30.09.2019) 4P 9C