



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 16.07.2019
CORAM

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

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W.P[MD]No.2257 of 2014

Carolyn Arul Priya

... Petitioner

Vs.

1.The Government of Tamil Nadu
represented by the Secretary to Government,
School Education Department,
Secretariat, Chennai - 600 009.

2.The Director,
Directorate of School Education,
College Road, Chennai - 600 006.

3.The Chairman / The Secretary,
Teachers Recruitment Board,
College Road, Chennai - 600 006.

4.The Principal Secretary to Government,
Higher Education Department,
Secretariat, Chennai - 600 009.

5.The Registrar,
Bharathidasan University,
Palkalai Nagar - 023.
Tiruchirappalli.

6.The Principal,
Holy Cross College (Autonomous),
Tiruchirappalli - 002.

... Respondents

[R4 to R6 impleaded vide Court order
dated 25.02.2014 in M.P.[MD]No.1/14]

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the respondents to declare B.Sc., Chemistry with specialization in Medicinal Chemistry is equivalent to B.Sc., Chemistry for the purpose of selection to the post of Graduate Teachers pursuant to the examination conducted by the third respondent namely Tamil Nadu Teachers Eligibility Test Paper-II on 18.08.2013 and consequently direct the respondents to give the appointment to the petitioner.

For Petitioner

: Mr.T.M.Madasamy

<https://hcservices.ecourts.gov.in/hcservices/>

For Respondents 1&2

: Mrs.S.Srimathy

Special Government Pleader



For Respondents 3 to 5 : Mr.V.R.Shanmuganathan
Special Government Pleader

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O R D E R

The relief sought for in the present writ petition is to direct the respondents to declare B.Sc., Chemistry with specialization in Medicinal Chemistry is equivalent to B.Sc., Chemistry for the purpose of selection to the post of Graduate Teachers pursuant to the examination conducted by the third respondent namely Tamil Nadu Teachers Eligibility Test Paper-II on 18.08.2013 and consequently to direct the respondents to give the appointment to the petitioner.

2.High Court is not an expert body so as to evaluate the nature of degrees granted by the various Universities across the country and grant equivalence of degrees. The equivalence of various degrees granted by the different Universities across the country are to be undertaken by the competent Committee with the reference made by the Government. Now, the provisions of the Tamil Nadu Government Servants (Conditions of Service) Act, 2016, contemplates that in respect of grant of equivalence of various degrees obtained through Universities, the same must be referred to the competent Committee and if any recommendations are made by such expert Committee, the Government has to take a decision and pass orders. Only if the Government issued an order granting equivalence, then alone the benefit of the qualification could be availed for the purpose of securing appointment.

3.Thus, grant of equivalence of various degrees is the prerogative of the Government, which is to be done based on the recommendations, if any, made by the competent Committee. Courts cannot grant equivalence by verifying the academic subjects or other matters. Admittedly, B.Sc., Chemistry with specialization in Medicinal Chemistry is not declared as equivalent to B.Sc., Chemistry, for the purpose of appointment to the post of Graduate Teachers. In the event of considering the claim of the writ petitioner by the Government and if any Government Orders is passed, then alone, the writ petitioner can participate in the process of selection with the qualification of B.Sc., Chemistry with specialization in Medicinal Chemistry. This being the principle to be followed, the relief as such sought for by the writ petitioner cannot be granted by this Court.

4.Accordingly, the Writ Petition stands dismissed. No costs.

Sd/-
Assistant Registrar (AE)



To

1.The Secretary to Government,
Government of Tamil Nadu
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Secretariat, Chennai - 600 009.

2.The Director,
Directorate of School Education,
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3.The Chairman / The Secretary,
Teachers Recruitment Board,
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4.The Principal Secretary to Government,
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5.The Registrar,
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MR

JM/26.07.2019/3P-6C