

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED : 12.02.2020
CORAM
THE HONOURABLE Mr.JUSTICE N.ANAND VENKATESH
WP.No.1252 of 2020
and
WMP.No.1513 of 2020

N.Mercy Vennila

.. Petitioner

- Vs -

1. The State of Tamil Nadu,
Rep. by its Principal Secretary to Government,
Higher Education Department,
Secretariat, Fort St. George,
Chennai-600 009.
2. The State of Tamil Nadu,
Rep. by its Principal Secretary to Government,
School Education Department,
Secretariat, Fort St. George,
Chennai-600 009.
3. The Director of School Education,
DPI Campus, College Road,
Chennai-600 006.
4. The Chairman,
Teacher Recruitment Board,
4th Floor, E.V.K.Sampath Maaligai,
DPI Campus, College Road,
Chennai-600 006.

.. Respondents

Writ Petition filed under Article 226 of the Constitution of India, praying to issue a writ of Mandamus, directing the Respondents to select and appoint the petitioner (Roll No. 19 PG 023430016) to the post of P.G.Assistant (English) based on M.A. (English Language and Literature) degree obtained from Bharathidasan University in April 2011 under G.T or B.C category as per merit in selection, in pursuant to Notification / Advertisement No. 10/2019 dated 12.06.2019 issued by the 4th Respondent with all consequential and other attendant benefits.

For Petitioner : Mr.G.Sankaran

For Respondents : Mrs.V.Annalakshmi
Government Advocate for R1 to R3
Mr.C.Munusamy
Special Government Pleader for R4

O R D E R

This writ petition has been filed for the issue of writ of Mandamus directing the fourth respondent to appoint the petitioner in the post of P.G Assistant [English].

2. The case of the petitioner is that the fourth respondent had issued a Notification dated 12.06.2019 inviting applications for direct recruitment to the post of P.G.Assistant in various subjects. The petitioner applied for the said post and he also participated in the written examination. The name of the petitioner was included in the provisional list for Certificate Verification. The Certificate Verification was conducted on 08.11.2019. On verification of the certificates, it was informed to the petitioner that the petitioner will have to produce the equivalence for the Post Graduate Degree obtained by him from Bharathidasan University. The Candidature of the petitioner was withheld and the petitioner was asked to produce the equivalence certificate. Aggrieved by the same, the present writ petition has been filed before this Court.

3. The learned counsel appearing on behalf of the petitioner submitted that for the first time, the fourth respondent has asked for an equivalence certificate for Post Graduation degree that was given by the Bharathidasan University. The learned counsel submitted that candidates, who have given similar certificates from the University, have been given appointment by the fourth respondent and it is not known as to why the petitioner has been asked to produce the equivalence certificate. The learned counsel further submitted that the proposal has already been forwarded to the Government for declaration of equivalence and the same is pending. Therefore, the learned counsel concluded his arguments by submitting that if the fourth respondent is insisting to produce the equivalence certificate, the first respondent can be directed to immediately pass orders on the proposal that is pending before it. The learned counsel, in order to substantiate his submissions, also brought to the notice of this Court the earlier order passed by this Court in WP.No.35061/2012 etc., batch dated 21.02.2013, wherein, this Court had directed the Government to consider issuance of the equivalence certificate within a time frame.

4. The learned Government Advocate appearing on behalf of the fourth respondent submitted that as and when the equivalence certificate is produced by the petitioner, the candidature of the petitioner will be considered and for the present, it has only been withheld.

5. Taking into consideration the facts and circumstances of the case and the fact that the proposal for the issuance of

equivalence certificate is already pending before the first respondent, there shall be a direction to the first respondent to consider the proposal that is pending for the issuance of equivalence certificate with regard to the Post Graduation Degree obtained from Bharathidasan University and pass necessary Government Order within a period of two weeks from the date of receipt of a copy of this order. Immediately, on issuance of the order, the fourth respondent is directed to act upon the same and take an appropriate decision.

6. This writ petition is disposed of with the above directions. No costs. Consequently, connected Miscellaneous Petition is closed.

Sd/-
Assistant Registrar(CS)

//True Copy//

Sub Assistant Registrar

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To

1. The Principal Secretary to Government,
State of Tamil Nadu,
Higher Education Department,
Secretariat, Fort St. George,
Chennai-600 009.
2. The Principal Secretary to Government,
State of Tamil Nadu,
School Education Department,
Secretariat, Fort St. George,
Chennai-600 009.
3. The Director of School Education,
DPI Campus, College Road,
Chennai-600 006.
4. The Chairman,
Teacher Recruitment Board,
4th Floor, E.V.K.Sampath Maaligai,
DPI Campus, College Road,
Chennai-600 006.

+1 cc to Government Pleader Sr.No. 12416
+1cc to Mr.G.Sankaran , Advocate SR.No. 11985

WP.No.1252 of 2020

A.SK(17/02/2020)