

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED : 24.01.2020

CORAM

THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH

W.P No.1355 of 2020
and W.M.P No.1614 of 2020

G.Selvi

Petitioner

vs.

1. The State of Tamilnadu,
rep. by its Secretary,
Personnel and Administrative Reforms Department,
Secretariat, Chennai - 600 009.
2. The Chairman,
Teachers Recruitment Board,
4th Floor, EVK Sampath Maaligai,
DPI Campus, College Road,
Chennai - 600 006.
3. The Director of Legal Studies,
Purasaiwakkam High Road,
Kilpauk, Chennai -10.
4. The Tamil Nadu State Council
for Higher Education,
Lady Willington College Campus,
Kamarajar Salai,
Triplicane,
Chennai - 600 005.
5. Pondicherry University,
Academics Section,
R.V. Nagar,
Kalapet,
Puducherry - 605 014.

Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the 4th respondent to issue the Equivalence Certificate to the petitioner herein and consequently direct the 2nd respondent to release the petitioner's Selection Result in the recruitment process conducted by the 2nd respondent in Direct recruitment of Assistant Professors/Assistant Professors (Pre Law) for Government Law Colleges 2017-18.

For Petitioner : Mr.D.Ravichander

For Respondents: Mrs.V.Annalakshmi

Government Advocate for R1

Mr.C.Munusamy
Special Government Pleader for R2

Mrs.A.V.Bharathi for R5

O R D E R

This writ petition has been filed for issuance of writ of mandamus directing the 4th respondent to issue the Equivalence Certificate to the petitioner and consequently direct the the 2nd respondent to consider the selection of the petitioner to the post of Assistant Professor in the Government Law College.

2.The case of the petitioner is that she has completed LLM in Criminal Law as a regular course and also secured first class in the said course. The 2nd respondent issued notification for filling up the vacancy for the post of Assistant Professor. The petitioner also applied for the said post and she cleared the written examination and was directed to appear for the interview by the 2nd respondent by letter dated 08.02.2019. When she attended the interview, her certificate was scrutinized and it was found from her certificate that she did not satisfy the qualification as prescribed in the notification. The petitioner thereafter, approached the 5th respondent seeking for an Equivalence Certificate. The 5th respondent issued an Equivalence Certificate stating that LLM Criminal Law degree is equivalent to Master of Law degree. On receipt of the same, the 2nd respondent addressed a letter to the 3rd respondent to initiate steps to get a Government order passed to that effect.

3.It is the further case of the petitioner that, by virtue of G.O.Ms.No.93, dated 30.05.2019, an Equivalence Committee has already been formed and the grievance of the petitioner is that the Equivalence Committee is yet to consider the Equivalence Certificate that was issued by the 5th respondent and pass appropriate orders. As a result of the same, the candidature of the petitioner has been withheld for not furnishing the Equivalence Certificate. Aggrieved by the same, the present writ petition has been filed before this Court seeking for appropriate directions.

4.Heard Mr.D.Ravichander, learned counsel appearing on behalf of the petitioner and Mrs.V.Annalakshmi, learned Government Advocate appearing on behalf of the 1st respondent and Mr.C.Munusamy, learned Special Government Pleader appearing on behalf of the 2nd respondent and Mrs.A.V.Bharathi, learned counsel appearing on behalf of the 5th respondent.

5.Taking into consideration the facts and circumstances of the case and also of the fact that the Equivalence Committee has already been constituted and the 5th respondent

has already granted the certificate, there shall be a direction to the Equivalence Committee which has been constituted pursuant to G.O.Ms.No.93, dated 30.05.2019, to consider the claim made by the petitioner in line with the certificate issued by the 5th respondent and pass necessary orders within a period of ten days from the date of receipt of copy of this order. The 2nd respondent is directed to await for the orders to be passed by the Equivalence Committee and not to complete the process of selection. The petitioner shall produce the orders passed by the Equivalence Committee before the 2nd respondent on or before 10.02.2020.

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

ssr

To

1. The Secretary, State of Tamil Nadu,
Personnel and Administrative Reforms Department,
Secretariat, Chennai - 600 009.
2. The Chairman,
Teachers Recruitment Board,
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DPI Campus, College Road,
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for Higher Education,
Lady Willington College Campus,
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Triplicane, Chennai - 600 005.
5. The Registrar,
Pondicherry University,
Academics Section,
R.V. Nagar, Kalapet,
Puducherry - 605 014.

+1cc to Mr.D.Ravichander , Advocate SR.No. 4994

+1cc to Mr.A.V.Bharath , Advocate SR.No. 4943

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A.SK(24/01/2020)

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