

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 09.12.2020

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THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.No.10135 of 2014

And

M.P.No.1 of 2014

Smt.C.M.S.Vijayalakshmi

... Petitioner

Vs.

1.The Chairman

Teachers Recruitment Board,
E.V.K.Sampath Maligai,
College Road,
Chennai 600 006.

2.The Secretary to Government
School Education Department,
Fort St.George,
Chennai 600 009.

3.Member Secretary
Tamil Nadu State Council
for Higher Education,
College Road,
Chennai 600 006.

4.The Secretary
Tamil Nadu Public Service Commission,
Frazer Bridge Road,
Park Town,
Chennai 600 003.

... Respondents

Prayer:

Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the 1st and 4th respondents to dispose of the petitioner's representations dated 05.01.2013 and 07.01.2013 considering the Equivalency Certificates issued by the Madras and Madurai Kamaraj Universities within a time bound period.

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For Petitioner : Mr.T.R.Senthil Kumar

For Respondents: Mr.C.Munusamy for R1
Special Government Pleader
Mr.S.Suresh Kumar for R2
Government Advocate
Mr.Akhil Akbar Ali for R3
Government Advocate
Mr.Karthik Rajan for R4

O R D E R

The petitioner has filed this writ petition seeking issuance of Writ of Mandamus directing the respondents 1 and 4 to dispose of the petitioner's representations dated 05.01.2013 and 07.01.2013 considering the Equivalency Certificates issued by the Madras and Madurai Kamaraj Universities within a time bound period.

2.The case of the petitioner is that the petitioner regularly studied B.Sc.Applied Sciences at Thiagarajar College of Engineering affiliated to Madurai Kamaraj University and subsequently joined M.Sc. Maths at Sourashtra College, Madurai as a regular student and discontinued the same after completion of the first year study. Thereafter, she completed B.Ed. Course from Indira Gandhi National Open University and registered her name in the Employment Exchange.

3.It is the further case of the petitioner that she is fully qualified for appointment to the post of Graduate Assistant in Tamil Nadu School Education Services. As per the Notification of the first respondent dated 07.03.2012, the petitioner applied for the Tamil Nadu Teachers Eligible Test for the post of Graduate Assistant (Maths) and successfully cleared the said Test. The petitioner also participated in the Certificates Verification on 06.11.2012, however, her name was not found in the final selected list published on 05.12.2012. Her candidature was rejected on the ground that she possess B.Sc. Degree in Applied Sciences and not Maths.

4.It is the further case of the petitioner that thereafter the petitioner approached the Registrar, Madurai Kamaraj University for issuance of Equivalency Certificate and obtained a Certificate certifying that 'as per the remarks of the Chairman, Board of Studies in B.Sc.(Applied Science) semester Degree course is equivalent to B.Sc.Mathematics semester Degree course'. When the petitioner approached the first respondent with the said Certificate, the first respondent asked the

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petitioner to obtain such Certificate from the Madras University.

5.It is the further case of the petitioner that thereafter the petitioner approached the Registrar of Madras University for issuance of Equivalency Certificate and the Registrar of Madras University certified that 'as per the opinion of the Chairman, Board of Studies in Mathematics of this University, the Degree of Bachelor of Science in Applied Science awarded to her by Madurai Kamaraj University can be considered as equivalent to B.Sc. Degree in Mathematics of this University, provided that she had passed the said Degree after undergoing 10+2+3 (or) 11+1+3 pattern of study for the purpose of appointment.' Thereafter, the petitioner made representations to the respondents 1 and 4 dated 05.01.2013 and 07.01.2013 seeking appointment to the post of Graduate Assistant and since there was no action, came forward to file this writ petition.

6.The learned counsel appearing for the petitioner would submit that B.Sc.Applied Science is equivalent to B.Sc.Mathematics and the petitioner has also obtained Equivalence Certificates from Madras University and Madurai Kamaraj University and hence, this Court may issue direction to the respondents to pass appropriate orders on the petitioner's representation within a reasonable time frame.

7.The respondents side have no objection for this Court considering the request made by the learned counsel appearing for the petitioner.

8.In view of the above, this Court directs the first respondent to consider the petitioner's representation dated 05.01.2013, on merits and in accordance with law and to pass appropriate orders on the same, within a period of twelve weeks from the date of receipt of a copy of this order.

9.The writ petition is accordingly disposed of. No costs. Consequently, the connected miscellaneous petition is closed.

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

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To

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for Higher Education,
College Road,
Chennai 600 006.
 - 4.The Secretary
Tamil Nadu Public Service Commission,
Frazer Bridge Road,
Park Town,
Chennai 600 003.
- +1cc to Mr.T.R.Senthilkumar, Advocate SR.40358
+1cc to the Government Pleader SR.40375

W.P.No.10135 of 2014
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SV(CO)
CB(18/01/2021)

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