



WEB COPY

W.P.(MD) No.1583 of 2020

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **13.02.2020**

CORAM:

THE HONOURABLE MR.JUSTICE **M.S.RAMESH**

W.P. (MD) No.1583 of 2020

and

W.M.P. (MD) No.1287 of 2020

P.Ilangovan

... Petitioner

/vs./

1.The State of Tamilnadu,
represented by the Principal Secretary to the Government,
Higher Education Department,
Fort St.George,
Chennai 600 009.

2.The State of Tamilnadu,
represented by the Secretary,
School Education Department,
Fort St.George,
Chennai 600 009.

3.The Teachers Recruitment Board,
represented by its Chairman,
4th Floor, EVK Sampath Maligai,
DPI Campus, College Road,
Chennai 600 006.

4.The Director of School Education,
O/o. The Directorate of School Education,
College Road,
Nungambakkam,
Chennai 6.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the respondents to consider the petitioner for appointment to the post of Special Teacher (Physical Education Teacher) in pursuant to the notification issued by the 3rd respondent vide notification no..5/2017 dated 26.07.2017 treating the petitioner's qualification of D.P.Ed. awarded from the Karnataka Secondary Education Examination Board as equivalent to that of H.P.Ed course awarded by the State of TamilNadu and consequently to direct the respondents to appoint the petitioner taking into consideration the marks secured by the petitioner.



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For Petitioner : Mr.C.Venkatesh Kumar for
M/S.Ajmal Associates

For R1 : Mr.R.Sethuraman
Special Government Pleader

For R2 : Mr.M.Jeyakumar
Additional Government Pleader

For R3 : Mr.VR.Shanmuganathan
Special Government Pleader

For R4 : Mr.M.Karuppasamy
Government Advocate

ORDER

This Writ Petition is filed to direct the respondents to consider the petitioner for appointment to the post of Special Teacher (Physical Education Teacher) in pursuance to the notification issued by the 3rd respondent vide notification No.5/2017 dated 26.07.2017, treating the petitioner's qualification of D.P.Ed. awarded from the Karnataka Secondary Education Examination Board as equivalent to that of H.P.Ed course awarded by the State of TamilNadu and to direct the respondents to appoint the petitioner taking into consideration the marks secured by him.

2.The issue as to whether D.P.Ed. awarded by the Karnataka Secondary Education Examination Board is equivalent to that of H.P.Ed course awarded by the State of TamilNadu, is a question to be decided by the Equivalence Committee and this Court cannot be justified in ordering the writ petition seeking for issuance of Writ of Mandamus and thereby, declare its equivalence. Nevertheless, if the Government is directed to refer the issue of equivalence of D.P.Ed. awarded by the Karnataka Secondary Education Examination Board with that of H.P.Ed course awarded by the State of TamilNadu to the Equivalence Committee, with further direction to the Equivalence Committee to take a decision within a stipulated time, the grievances of the petitioner could be met.

3.In the light of the above observations, there shall be a direction to the first respondent herein to refer the issue as to whether the D.P.Ed. awarded by the Karnataka Secondary Education Examination Board is equivalent to that of H.P.Ed course awarded by the State of TamilNadu to the Equivalence Committee forthwith, in any case, at least within a period of one week from the date of receipt of a copy of this order. The Equivalence Committee shall endeavour to take a decision on such issue, at least within a period of two weeks from the date of receipt of such reference to be made by the first respondent.

<https://hcservices.ecourt.gov.in/hcservices/> In the above directions, the writ petition stands disposed



of. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (AD II)

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// True Copy //

/ /2020

Sub Assistant Registrar(CS)

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To

1.The Principal Secretary to the Government,
Higher Education Department,
Fort St.George,
Chennai 600 009.

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

3.The Teachers Recruitment Board,
represented by its Chairman,
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DPI Campus, College Road,
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4.The Director of School Education,
O/o. The Directorate of School Education,
College Road,
Nungambakkam,
Chennai 6.

+1 CC to M/s.SPL.GP (SR-6336[F] dated 14/02/2020)

+1 CC to M/s.AJMAL ASSOCIATES, Advocate (SR-6400[F] dated 14/02/2020)

**W.P. (MD) No.1583 of 2020
13.02.2020**

KK/SAR/14.02.2020/3P-7C/