



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 26.05.2020

CORAM

THE HONOURABLE MRS.JUSTICE **J.NISHA BANU**

W.P (MD) No. 6086 of 2020

K.Kalaivani

.. Petitioner

Vs.

1.State of Tamil Nadu rep. by its
Principal Secretary to the Government,
Department of Higher Education,
Secretariat, Chennai - 9.

2.The Member Secretary,
Tamil Nadu State Council for Higher Education,
Willingdon College Campus,
Triplicane, Chennai - 600 05.

3.The Registrar,
Madurai Kamaraj University,
Palkalai Nagar,
Madurai - 625 021.

.. Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus directing the respondents 1 to 3 to issue Equivalent Certificate to the petitioner clarifying that the B.C.S (Bachelor of Corporate Secretaryship) awarded by the respondent No.3 University as equivalent to B.Com. Degree for the purpose of employment in public service by extending the benefit of Government Order in G.O(Ms). No.55, Higher Education (K2) Department, dated 15.03.2018 passed by the respondent No.1 within the time stipulated by this Court and pass such further or other orders.

For Petitioner : Mr.I.Pinayagash

For Respondents 1 and 2 : Mr.M.Rajarajan,
Government Advocate.

For Respondent No.3 : Mr.T.Sakthikumaran



ORDER

This writ petition has been filed for issuance of a Writ of Mandamus to direct the respondents 1 to 3 to issue Equivalent Certificate to the petitioner clarifying that the B.C.S. (Bachelor of Corporate Secretaryship) awarded by the third respondent University is equivalent to B.Com. Degree, for the purpose of employment in public service by extending the benefit of Government Order in G.O(Ms).No.55, Higher Education (K2) Department, dated 15.03.2018 passed by the 1st respondent.

2.Mr.M.Rajarajan, learned Government Advocate takes notice for the respondent 1 and 2. Mr.T.Sakthikumaran, learned counsel takes notice for the 3rd respondent. By consent of both parties, this Writ Petition is taken up for final disposal at the stage of admission itself.

3.The case of the petitioner is that the petitioner had completed S.S.L.C., H.Sc. and thereafter completed B.C.S. (Bachelor of Corporate Secretaryship), 3 years U.G. Degree at Sourashtra College, Madurai, which is affiliated by Madurai Kamaraj University.

4.Further, it is stated by the petitioner that her husband Mr.P.Navaneethakrishnan passed away in the year 2015, while he was working as wireman in Tamil Nadu Electricity Board. Subsequently, on 14.07.2017, she was appointed on compassionate ground at Executive Engineer Distribution / South Division Metro / Madurai Electricity Distribution Circle (TANGEDCO), Madurai. As per the norms of Tamil Nadu Electricity Board's Regulation, if she seeks promotion to the post of Account Supervisor, she has to possess the required qualification of B.Com. degree. Since she has completed B.C.S. (Bachelor of Corporate Secretaryship), she was not considered for promotion to the said post. In the meanwhile, the 1st respondent passed G.O(Ms).No.55, Higher Education (K2) Department, dated 15.03.2018, wherein in Agenda No.8(I), it is stated that B.C.S. (Bachelor of Corporate Secretaryship) awarded by Periyar University is equivalent to B.Com. Degree for the purpose of employment in Public Services. On 16.03.2020, the petitioner also sent a detailed representation to the respondents seeking to issue an equivalent certificate to the petitioner clarifying that the B.C.S. (Bachelor of Corporate Secretaryship) degree awarded by the 3rd respondent University is equivalent to B.Com. degree.

5.Heard the learned counsel appearing for the petitioner, learned Government Advocate appearing for the respondents 1 and 2 and the learned counsel for the 3rd respondent and perused the materials available on record.



6. Though the learned counsel for the petitioner has sought for larger relief, he restricted the prayer to consider the representation of the petitioner, dated 16.03.2020, in the light of G.O(Ms).No.55, Higher Education (K2) Department, dated 15.03.2018.

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7. Considering the limited scope of prayer sought for, this Court, without adverting to the merits of the case, directs the 3rd respondent to consider the representation of the petitioner, dated 16.03.2020 and pass orders on merits and in accordance with law and also in the light of G.O(Ms).No.55, Higher Education (K2) Department, dated 15.03.2018, within a period of twelve (12) weeks from the date of receipt of a copy of this order. While sending the copy of this order, the petitioner shall enclose the copy of the representation, dated 16.03.2020, to the 3rd respondent.

8. With the above directions, this Writ petition is disposed of. No costs.

Sd/-

Assistant Registrar ()

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

To

1. The Principal Secretary to the Government,
Department of Higher Education,
Government of Tamil Nadu,
Secretariat, Chennai - 9.

2. The Member Secretary,
Tamil Nadu State Council for Higher Education,
Willingdon College Campus,
Triplicane, Chennai - 600 05.

3. The Registrar,
Madurai Kamaraj University,
Palkalai Nager,
Madurai - 625 021.

**ORDER MADE IN
W.P(MD)No.6086 of 2020
26.05.2020**

smn

SDS (02.06.2020) 3P-4C

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