

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 10/3/2021

C O R A M

THE HONOURABLE MR.JUSTICE B.PUGALENDHI

WRIT PETITION NO.5801 OF 2021

Dr.P.M.Ponnusamy

... Petitioner

Vs

1. The Principal Secretary to
Government of Tamil Nadu
Higher Education Department
Fort St. George
Chennai 600 009.

2. The Tamil Nadu State Council for
Higher Education (TANSHE)
Equivalence Committee
Lady Willington College Campus
Kamarajar Salai
Chennai 600005.

3. The Registrar
Bharathiyar University
Coimbatore.

.... Respondents

Petition filed under Article 226 of the Constitution of India praying for the issuance of a writ of mandamus to direct the respondents to issue the equivalent certificate to the petitioner in pursuance to the order of this Court, dated 19/12/2019 made in W.P.No.34362 of 2019, by considering the petitioner's representation dated 31/1/2020 and 17/12/2020.

For petitioner

... Mr.D.R.Arun Kumar

For respondents

... Mr.Karthikai Balan
Government Advocate
for R.R. 1 and 2.

Mr.L.P.Shanmuga Sundaram
Standing Counsel
for R.3.

O R D E R

This writ petition is filed for a mandamus, directing the respondents to issue an equivalent certificate to the petitioner, based on the orders passed by this Court, in W.P.No.34362 of 2019, dated 19/12/2019.

2. The case of the petitioner is that she has studied M.Sc from PSG College of Technology in the year 2003, which was then affiliated to Bharathiyar University, Coimbatore, and Doctorate in Physics, in the year 2016. In 2003, the affiliation of M.Sc is shifted to Anna University and Bharathiyar University. However, the Government, had passed G.O.Ms.No.49, dated 8/3/2019, on the basis of the recommendations made by the second respondent, who failed to note the total number of courses and marks of study for M.Sc, programme prescribed for 2001 - 2002 batch Bharathiyar University and 2001-2003 batch Anna University candidates were one and the same, but there were minor changes in the titles of the courses of the study between 1999 Regulations and 2002 Regulations approved by Academic Council. Being aggrieved, the petitioner had filed W.P.No.34362 of 2019 before this Court and this Court, vide, order, dated 19/12/2019, held as follows:-

"In the result, this writ petition is allowed and the impugned Government Order in G.O.(Ms) No.49, dated 8/3/2019 is quashed, in so far as declaring that M.Sc (Material Science) offered by PSG College of Technology, Coimbatore is not equivalent to M.Sc (Physics) of Bharathiyar University, Coimbatore."

3. Based on the above stated order, the petitioner made a request for issuing an equivalent certificate to the petitioner. Since the same has not been considered so far, the petitioner has come forward with this writ petition, praying for the relief as stated supra.

4. Mr.Karthikai Balan, takes notice for the respondents 1 and 2 and would submit that as the issue has been decided in W.P.No.34362 of 2019 and G.O.Ms.No.49 dated 8/3/2019 has already been quashed and against the orders of this Court, they have not preferred any appeal and it becomes final and therefore, there is no impediment to issue equivalent certificate to the petitioner.

5. In view of the rival submissions, this writ petition is allowed, with a direction to the respondents 1 and 2 to consider the representations of the petitioner, dated 3/11/2020 and 17/12/2020, in the light of the order passed in W.P.No.34362 of

2019, within a period of four weeks, from the date of receipt of a copy of this order. No costs.

Sd/-
Assistant Registrar(CS VIII)

//True Copy//

Sub Assistant Registrar

mvs.

To

1. The Principal Secretary to
Government of Tamil Nadu
Higher Education Department
Fort St. George
Chennai 600 009.
2. The Tamil Nadu State Council for
Higher Education (TANSHE)
Equivalence Committee
Lady Willington College Campus
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3. The Registrar
Bharathiyar University
Coimbatore.

+1cc to Mr.D.R.Arun Kumar, Advocate, S.R.No.15264

+1cc to the Government Pleader, S.R.No.15448

Writ Petition No.5801 of 2021

PMK(CO)
CS/29/03/2021

सत्यमेव जयते

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