



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 01.04.2021

CORAM:

THE HONOURABLE MR.JUSTICE M.S.RAMESH

W.P.(MD) Nos.19700 of 2020 and 687 & 1068 of 2021

W.M.P.(MD).Nos.16424, 16425, 16426 & 16428 of 2020 and 923 & 576 of 2021

W.P.(MD).No.19700 of 2020

M.Karpagalakshmi

... Petitioner

Vs

1.Tamil Nadu Public Service Commission,
rep. by its Secretary,
Park Town, VOC Nagar,
Chennai - 600 003.

2.The Principal Secretary/ Commissioner of Archeology,
Department of Archeology,
Tamil Valarchi Valaagam,
Tamizh Salai,
Egmore, Chennai - 8.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Certiorarified Mandamus, to call for the records pertaining to the impugned provisional list of candidates admitted to original certificate verification and counselling to the post of Archaeological Officer included in Tamil Nadu General Subordinate Service for the year 2019-20 issued by the respondent No.1 dt. 16.12.2020 and quash the same as illegal in so far as not including the petitioner and consequently for a direction directing the respondents to select and appoint the petitioner in the post of Archaeological Officer under SC (General) Category or SC(Women) Category ,based on the marks secured by the petitioner within the time period stipulated by this Court.

For Petitioner : Mr.T.Lajapathi Roy

For Respondents : Mrs.L.Victoria Gowri

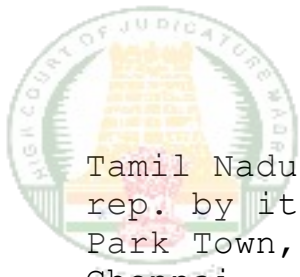
Assistant Solicitor General of India

W.P.(MD).No.687 of 2021

S.Gowrisankar

... Petitioner

Vs



Tamil Nadu Public Service Commission,
rep. by its Chairman,
Park Town, VOC Nagar,
Chennai - 3.

... Respondent

WEB COPY

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus directing the respondent to consider the name of the petitioner to the post of Archeological officer in Archeological Department under the category of BC(G) (PSTM) by the notification dated 28-11-2019 in notification No.33/2019 as per the marks and merits, secured by the petitioner.

For Petitioner : Mr.Ramsundarvijayraj
for M/s.Veera Associates
For Respondents : Mrs.L.Victoria Gowri
Assistant Solicitor General of India

W.P. (MD) .No.1068 of 2021

Muthumeenakshi

... Petitioner

Vs

- 1.The State of Tamil Nadu represented by
The Principal Secretary,
Department of Archeology,
Tamil Valarchi Valaagam, Thamizhsalai,
Egmore, Chennai - 600 008.
- 2.The State of Tamil Nadu,
rep. by its Secretary to Government,
Higher Education Dept.,
Fort St. George,
Chennai - 600 009.
- 3.The Secretary,
Tamil Nadu Public Service Commission,
Omanthoorar Government Estate,
Chennai - 600 002.
- 4.The Director Department of Archaeology
Tamil Valarchi Valagam,
Halls Road,
Egmore, Chennai - 600 008.



5.The Thanjavur Tamil University,
Represented by the Registrar,
Tamil University,
Thanjavur district.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus to direct the Respondent No.1 to 4 to consider the M.A.History and Archeology degree issued by the Respondent 5 is equivalent to MA Ancient History and Archeology consequently appoint the petitioner to the post of Archeological officer in the Archeological Department in Tamilnadu General Subordinate Services 2019-2020 with all service benefits as provided to the archeological officer appointed in the year of 2019-2020 forthwith.

For Petitioner : Mr.R.Alagumani
For Respondents : Mrs.L.Victoria Gowri
Assistant Solicitor General of India

COMMON ORDER

The petitioners herein are the aspirants for the posts of Archaeological Officer in the Archaeological Department, called for under the Direct Recruitment 2019-2020, pursuant to the Notification No.33/2019.

2.The Education Qualification prescribed for the above siad posts reads as follows:

(i) Must possess M.A.Degree in Ancient History and Archaeology or in Archaeology.

(Or)

Must possess M.A.Degree in History or Indian History or in Tamil awarded by any of the University recognized by the University Grants Commission and A "Post Graduate Diploma in Epigraphy and Archaeology" awarded by the Institute of Epigraphy, Department of Archaeology, Government of Tamil Nadu or Post Graduate Diploma in Archaeology awarded by the Archaeological Survey of India.

(ii) Must have passed Tamil as one of the subject in Degree level."

3.Admittedly, the petitioners herein do not possess any of the aforesaid degrees, nor possess any equivalence certificate for the degrees they have obtained, certifying that such degrees are equivalent to the prescribed Educational qualification, notified by the TNPSC. It is needless to mention that if at all the petitioners are of the view that the degrees they passed are equivalent to the prescribed Educational Qualification in the



present impugned notification, it is always open to them to approach the concerned Equivalence Committee, namely State Council for Higher Education.

4.As such, no effective orders can be passed in the present writ petitions, wherein, the petitioners admittedly do not possess the required qualification.

5.Accordingly, these writ petitions stand closed. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar(Writs)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

TM

NOTE :

In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

To

- 1.The Principal Secretary,
The State of Tamil Nadu,
Department of Archeology,
Tamil Valarchi Valaagam, Thamizhsalai,
Egmore, Chennai - 600 008.
- 2.The Secretary to Government,
State of Tamil Nadu,
Higher Education Dept.,
Fort St. George,
Chennai - 600 009.
- 3.The Secretary,
Tamil Nadu Public Service Commission,
Omanthoorar Government Estate,
Chennai - 600 002.



4.The Director Department of Archaeology
Tamil Valarchi Valagam,
Halls Road,
Egmore, Chennai - 600 008.

5.The Registrar,The Thanjavur Tamil University,
Tamil University,
Thanjavur district.

+1 CC to M/s.T.LAJAPATHI ROY, Advocate (SR-15383[F] dated
07/04/2021)

Order made in
W.P. (MD) Nos.19700 of 2020 and 687 &
1068 of 2021
01.04.2021

KUN(CO)
TR(18.05.2021) 5P 7C