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W.P.No.2659 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.10.2022

CORAM

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P.No.2659 of 2017

P.Shakivel

... Petitioner

Vs.

1.The Secretary,
The Higher Education Department,
Secretariat, Chennai – 9.

2.The Chairman,
Teachers Recruitment Board,
College Road, Chennai 600 006.

3.The Director,
Indian Institute of Technology,
Adyar, Chennai.

... Respondents

Prayer: Writ Petition filed Under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, to forbear the 2nd respondent from appointing any one to the post of Assistant Professor (Civil Engineering) in Direct recruitment of Assistant Professors in Government Engineering colleges 2013-14 and 2014-15 under SCA quota except the petitioner.



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For Petitioner	: Mr.P.Saravanan
For R1	: Mr.A.Anandan Government Advocate
For R2	: Mr.C.Kathiravan Special Government Pleader [For TRB]
For R3	: Mr.Karthik Rajan

ORDER

The relief sought for in the present writ petition is to forbear the 2nd respondent from appointing any one to the post of Assistant Professor in Civil Engineering by way of direct recruitment in the Government Engineering Colleges 2013-2014 and 2014-2015.

2. The petitioner states that he has completed B.E. Civil Engineering and further M.Tech Ocean Engineering in April 2000 in Indian Institute of Technology, Madras. The petitioner states that he is fully qualified for selection and appointment to the post of Assistant Professor (Civil Engineering) in Government Engineering Colleges in the State of Tamil Nadu. However, the case of the writ petitioner was not considered by the



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Teachers Recruitment Board on the ground that the petitioner has not studied Masters Degree in Civil Engineering and possessed the Masters Degree in Ocean Engineering. In other words, the Teachers Recruitment Board rejected on the ground that the M.Tech course in Ocean Engineering is not equivalent to the Post Graduate on M.E. (Civil Engineering).

3. The learned counsel for the petitioner made a submission that Indian Institute of Technology, Madras has considered the Post Graduate courses of M.Tech Ocean Engineering and M.E. Civil Engineering are equal. Based on the said certificate, the case of the writ petitioner is to be considered for selection and appointment.

4. With reference to the appointments made in Tamil Nadu Services, the Government of Tamil Nadu has to grant equivalence in respect of the degrees granted by the various universities across the country. The Government has to constitute the Equivalence Committee for the purpose of evaluating the equivalence between the two degrees. Only in the event of any recommendation, the Government would be in a position to take a decision for grant of equivalence between the degrees awarded by universities across



the country.

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5. Thus, in the absence of an equivalence order by the Government of Tamil Nadu, the Teachers Recruitment Board may not be in a position to consider the case of the writ petitioner. In the present case, the petitioner completed M.Tech Ocean Engineering, which is not so far declared as equivalent to M.E. Civil Engineering by the Government of Tamil Nadu. Therefore, the relief as such sought for cannot be granted. However, the petitioner is at liberty to file an appropriate application to the Government for the purpose of grant of equivalence in the manner known to law by following the procedures as contemplated.

6. With this liberty, the Writ Petition stands disposed of. No costs.

18.10.2022

Jeni
Index : Yes
Speaking order



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To

- 1.The Secretary,
The Higher Education Department,
Secretariat, Chennai – 9.
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- 3.The Director,
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S.M.SUBRAMANIAM, J.

Jeni

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