

petitioners possess degree in Bachelor in Pharmacy are also entitled to appear for the said examination in view of the equivalence considered by the State Government. The learned counsel also relied upon the judgment of the Madras High Court in Writ Petition (MD) No.4882 of 2023 and connected matters decided on 23rd March, 2023 (**Vetriselvi & Anr. vs. The Member Secretary, Medical Services Recruitment Board & Ors.**). According to him the Madras High Court has considered that the petitioners therein who were possessing the qualification of Bachelors of Siddha Medicine and Surgery (BSMS) Degree as equivalent to degree in Medicine. According to the learned counsel though the last date is over, still the applications of the petitioners can be considered.

4. The Tribunal has rejected the prayer for interim relief on 30th March, 2023 and consequently the original application was dismissed. The last date for filing application was 3rd April, 2023. It is submitted by the learned counsel for the petitioners that the said date was extended to 27th April, 2023. In fact, the petitioners ought to have approached the Court earlier. The present writ petition is filed on 25th April, 2023 and the circulation was sought thereafter.

5. The learned counsel for the petitioners submitted that one of the petitioners was not well and as such did not file the petition earlier. When the order was passed by the Tribunal, the last date for filing application was 3rd April, 2023. We cannot under the judicial order extend the time for filing applications. The Tribunal did not grant any interim relief to the petitioners on the ground that the equivalence is not provided in the amended rules.

6. The following qualification is prescribed: -

“2.1.3. relating to ‘Food Safety Officer’

i. for sub-clause (i), the following shall be substituted, namely: -

“(i) a Bachelor’s or Master’s or Doctorate degree in Food Technology or Dairy Technology or Biotechnology or Oil Technology or Agricultural Science or Veterinary Sciences or Bio-Chemistry or Microbiology or Chemistry or medicine from a recognized University.”

7. The rule, it appears that, does not provide for the equivalence of the degree as mentioned in clause 2.1.3. Sub-clause (ii) of Clause 2.1.3 states that any other equivalent/recognized qualification notified by the Central Government. The petitioner could not produce on record any notification of the Central Government prescribing an equivalent qualification.

8. In Clause 2.1.3 (1)(i) equivalence is not provided and as per Clause 2.1.3 (1)(ii) nothing has been placed on record to substantiate that the Central Government has notified other equivalent/recognized qualification.

9. As nothing is pointed out about equivalent qualification by the Central Government and the equivalent degree is not provided in the Rules itself, we cannot come to the aid of the petitioners.

10. The writ petition is accordingly disposed of. No costs.

(SANDEEP V. MARNE, J.)

(ACTING CHIEF JUSTICE)