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W.P.No.30731 of 2019

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 12.06.2023

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.No.30731 of 2019

and

W.M.P.Nos.30817 and 30818 of 2019

P.Suthakar

... Petitioner

Vs.

1. The Principal Secretary,
Government of Tamil Nadu,
Higher Education Department,
Secretariat,
Chennai – 600 009.
2. The Chairman,
Board of Studies,
Tamil Nadu State Council of Higher Education,
Neelam Basha Dargapuram,
Triplicane,
Chennai – 600 005.
3. The Secretary,
Government of Tamil Nadu,
Teachers Recruitment Board,
4th Floor, EVK Sampath Maaligai,
DPI Campus, College Road,
Chennai – 600 006.



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4. The Secretary,
Tamil Nadu Public Service Commission,
Chennai – 600 003.

5. The Vice Chancellor,
Tamil Nadu University,
Thanjavur District – 613 005.

6. The Registrar,
University of Madras,
Chepauk,
Chennai – 600 005.

... Respondents

PRAYER : Petition filed under Article 226 of the Constitution of India praying for issuance of Writ of Certiorarified Mandamus, calling for the records of the first respondent and to quash the G.O.(Ms)No.72, Higher Education (K2) Department, dated 30.04.2013 in respect of Item No.33 stating M.A.History and Archeology to M.A.History / Not Equivalent Tamil University and consequently, direct the third respondent to include and consider M.A.History and Archeology equivalent to M.A.History and to apply for the post of Assistant Professor as per Notification No.12/2019 dated 28.08.2019 and 04.10.2019 by the third respondent.

For Petitioner : Ms.Kanimozhi Mathi

For Respondents : Mr.M.Alagu Gowtham
Govt. Advocate for R1 to R3
No appearance for R4 to R6



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ORDER

This Writ Petition has been filed to call for the records of the first respondent and to quash the G.O.(Ms)No.72, Higher Education (K2) Department, dated 30.04.2013 in respect of Item No.33 stating M.A.History and Archeology to M.A.History / Not Equivalent under Tamil University and consequently, direct the third respondent to include and consider M.A.History and Archeology equivalent to M.A.History and to apply for the post of Assistant Professor as per Notification No.12/2019 dated 28.08.2019 and 04.10.2019 by the third respondent.

2. The case of the petitioner is that the petitioner possessed M.A.History and Archeology from Tamil University in the year 2007 and he is working as Guest Lecturer, Department of History, Government Arts and Science College, at Ariyalur District. As per impugned G.O.(Ms)No.72, Higher Education (K2) Department, dated 30.04.2013, the State Government held that M.A.History and Archeology under University of Madras is equivalent to M.A.History, whereas M.A.History and Archeology



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under Tamil University is not equivalent to M.A.History. Challenging the same, the petitioner has filed the present Writ Petition with the aforesaid prayer.

3. The learned counsel for the petitioner would submit that though the petitioner filed the Writ Petition challenging the impugned G.O.(Ms)No.72, Higher Education (K2) Department, dated 30.04.2013, he sent representations on 15.03.2014 and 19.11.20214 for reconsideration.

4. The learned Government Advocate appearing for the respondents 1 to 3, on instructions, would submit that though the petitioner challenging the impugned G.O., with regard to M.A.History and Archeology obtained from the Tamil University is not equivalent to M.A.History, the grievance of the petitioner is that as per the said G.O., the petitioner is not entitled to participate in the selection process for the post of Assistant Professor vide notification dated 28.08.2019 and 04.10.2019. He further submit that the recruitment notification itself was withdrawn and there is no recruitment process.



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5. Considering the facts and circumstances of the case, this Court without interfering the order impugned in the Writ Petition, directs the first respondent to consider the petitioner's representations dated 15.03.2014 and 19.11.2014 and for any reference, the petitioner is directed to communicate this order along with the representations to the first respondent so as to enable the first respondent to pass appropriate orders on merits and in accordance with law within a period of twelve weeks from the date of receipt of a copy of this order.

6. With the above direction, this Writ Petition is disposed of. No costs. Consequently, connected Miscellaneous Petitions are closed.

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NCC: Yes / No
Index : Yes / No
Speaking Order : Yes / No

vji



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