



W.P(MD)No.9761 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 02.06.2023

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.9761 of 2023

B.Chitrakani

... Petitioner

Vs.

1.The Principal Secretary to Government,
Higher Education Department,
Chennai.

2.The Joint Director of College Education,
Madurai Region,
Madurai.

3.The Special Officer,
Pasumpon Thiru Muthuramalinga Thevar Memorial College,
An Education Institution affiliated to Alagappa University,
Kottaimedu Post,
Kamuthi Taluk,
Ramanathapuram District.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, to direct the respondents 2 & 3 to treat UG in Botany and M.Sc in Biotechnology as equivalent to professorship in botany then by directing the respondents 2 & 3 to permit the petitioner to attend the forthcoming interview for the post of Assistant Professor of Botany to be held in the third respondent college.



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For Petitioner : Mr.S.Vellaichamy

For Respondents : Mr.N.Satheeshkumar
Additional Government Pleader

ORDER

Heard the learned counsel on either side.

2. The petitioner is possessing UG degree in Botany and M.Sc in Biotechnology. She is an aspirant for the post of Assistant Professor of Botany. Though she participated in the recruitment process held by the third respondent, she was not successful only because the authority felt that PG degree obtained by her is not equivalent to M.Sc Botany. In this background, the present writ petition came to be filed.

3. As rightly pointed out by the learned Additional Government Pleader, the Hon'ble Apex Court in the recent decision rendered on 28.03.2023 in ***Civil Appeal No.7188 of 2023 (Unnikrishnan CV Vs. Union of India & others)*** had held that it is not for the writ court to go into the issue of equivalence. However, it is only the Government that can take a call. The first respondent shall place this issue before the



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equivalence committee and the equivalence committee shall take a call in the matter. The equivalence committee will decide whether PG degree obtained by the petitioner is equivalent to M.Sc Botany. This shall be done as expeditiously as possible.

4. The Writ Petition is disposed of accordingly. No costs.

02.06.2023

NCC : Yes/No
Index : Yes / No
Internet : Yes/ No
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To

1.The Principal Secretary to Government,
Higher Education Department,
Chennai.

2.The Joint Director of College Education,
Madurai Region,
Madurai.



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