



WEB COPY



W.A.No.816 of 2013

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.06.2024

CORAM

THE HONOURABLE MR. JUSTICE S.M.SUBRAMANIAM
and
THE HONOURABLE MR. JUSTICE C.KUMARAPPAN

W.A.No.816 of 2013

and

M.P.No.1 of 2013

1. D.Saravanane

2. R.Saravana Raja

3. D.Marianesan

... Appellants

Vs.

1. The State Of Tamil Nadu,
Rep. By The District Elementary Education Officer,
Cuddalore District, Tamil Nadu.

2. The Chairman,
Teachers Recruitment Board,
4th Floor, EVK Sampath Maaligai,
DPI Compound, College Road, Chennai.

3. The Registrar,
Annamalai University,
Chidambaram, Tamil Nadu.

... Respondents

Prayer :- Writ Appeal filed under Clause 15 of Letters Patent, praying to set aside the order passed by the learned Judge in W.P.No.2302 of 2013 dated 30.01.2013 and allow the Writ Appeal.



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For Appellants : Mr.V.Ajaya Kumar

For Respondents : Mr.E.Sundaram,
Government Advocate (for R1);

: Mr.R.Neelakandan, AAG, assisted by
Mr.K.Satish Kumar, Standing Counsel(for R2);

:Mr.M.A.Vimal Mohan, Standing Counsel
(for R3).

J U D G E M E N T

(Judgement of the Court was delivered by S.M.Subramaniam J.)

Pursuant to the recruitment notification for selection and appointment to the post of Graduate Assistant in the Department of School Education, issued in the year 2012, the appellants herein, who were the petitioners in the writ proceedings, submitted their applications. The candidature of the petitioners were rejected by the Teachers Recruitment Board on the ground that they possess double Degree, which is invalid for selection and appointment to the post of Graduate Assistant.

2. The Teachers Recruitment Board passed the impugned order stating that during the same academic year, the petitioners have acquired two Degrees and therefore, they cannot be considered for selection and



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appointment to the post of Graduate Assistant as per the service rules in force. The said order came to be challenged in the writ proceedings.

3. The learned Single Judge considered the fact that the first writ petitioner Mr. D.Saravanan got B.A.Degree in Economics, B.Ed Degree in English and Social Science and M.A.Degree in Economics. The second petitioner possess B.A.Degree in Economics, M.S.Degree (Development Economics) M.Phil Degree and B.Ed in Social Science and English. The second petitioner also passed B.A.Degree as offered by the Annamalai University, which is double degree and he got Degree in English.

4. Learned single Judge relied on the judgement in the case of ***R.Thirunavukkarasu Vs. State of Tamil Nadu and others reported in 2012 (5) CTC 129***. Justice V.Ramasubramanian, while considering the entire issue extensively in paragraph 84 had observed as follows:

“84. In view of the above, the writ petitions are allowed and the official Respondents are directed not to recognise, both for appointment as well as for promotion, the dual degrees obtained by candidates after undergoing a Course of a duration of one year, as equivalent to a degree obtained after undergoing a Course of a duration of 3



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years. There will be no order as to costs. Consequently,
WEB COPY *connected Miscellaneous petitions are closed.”*

5. Even in subsequent judgement, the High Court has reiterated that double degree acquired by the persons are not eligible for appointment to teaching posts. A Degree approved by the University Grants Commission (U.G.C.) alone is to be taken into consideration for selection and appointment to the public posts. When such double degrees, acquired by the candidates, are not approved by the U.G.C., the decision taken by the second respondent, for rejecting the candidature of the petitioners, cannot be said to be infirm.

6. Thus, we do not find any infirmity in respect of the order passed by the Writ Court and the said order stands confirmed and consequently, the writ appeal stands dismissed. No costs. Consequently, connected miscellaneous petition is closed.

(S.M.S.J.,)

(C.K.J.,)

05.06.2024

Index : Yes/No

Internet: Yes/No

Speaking order/Non-Speaking order

Neutral Citation : Yes/No

(sha)



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To
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