



W.P.No.15998 of 2012

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.02.2024

CORAM :

THE HONOURABLE MR. JUSTICE J.SATHYA NARAYANA PRASAD

W.P.No.15998 of 2012

and

M.P.No. 1 and 2 of 2012

S.Saisangeetha

... Petitioner

Vs.

1. The Director of Elementary Education,
DPI Campus, College Road,
Chennai - 600 006.
2. The District Elementary Education Officer,
Krishnagiri & District.
3. The Assistant Elementary Education Officer,
Hosur, Krishnagiri District.

...Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, to issue a writ of certiorarified mandamus calling for the records of the third respondent in connection with the Impugned Revised Panel prepared as on 01.01.2012 for the promotional appointment for the post of B.T.Assistant - Science (Telugu) dated 08.05.2012 and quash the same and consequently direct the respondents to prepare a fresh panel for the promotional appointment for the post of B.T.Assistant-Science (Telugu) by including the name of the petitioner and ultimately to promote the petitioner to the post of B.T.Assistant - Science (Telugu).



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For petitioner : Mr.S.Rajendiran
For R1 to R3 : Mr.T.M.Rajangam
Government Advocate

ORDER

This writ petition is filed seeking for a direction to quash the revised panel prepared as on 01.01.2012 for the promotional appointment to the post of B.T.Assistant - Science (Telugu) dated 08.05.2012 and direct the respondents to prepare a fresh panel for the promotional appointment for the post of B.T.Assistant-Science (Telugu) by including the name of the petitioner and to promote the petitioner to the post of B.T.Assistant - Science (Telugu).

2. The facts in brief culled out from the affidavit of this writ petition are as follows:

2.1. The petitioner was working as a Secondary Grade Teacher in the Panchayat Union Primary School, Muthutayanajeebi, Hosur, Krishnagiri District. The petitioner acquired her degree in Bachelor of Electronic Science in the year 1998 and also acquired diploma in Teacher



Education in the year 2000. Further, the petitioner acquired B.Ed. Degree in the year 2011.

2.2. The petitioner was appointed as a Junior Secondary Grade Teacher in the Panchayat Union, Primary School, Beykeypalli, by the second respondent *vide* proceedings dated 29.10.2004 in Na.Ka.No.48/A2/2004 and the said appointment was done through Teachers Recruitment Board on the basis of employment seniority. The petitioner joined in the said post on 01.11.2004.

2.3. The third respondent prepared a promotion panel dated 23.04.2012 as on 01.01.2012 for the post of B.T.Assistant - Science (Telugu) on the basis of inter seniority and combined seniority among the Elementary School Headmasters and Secondary Grade Teachers working in Hosur block and the petitioner's name was in Sl.No. 2 of the panel list.

2.4. While so, the petitioner was orally informed by the second and the third respondents that the petitioner's name was to be removed from the panel list for promotion to the post of B.T.Assistant - Science (Telugu) since the petitioner has obtained a degree in Bachelor of



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Electronic Science (B.E.S.) and hence, she is not eligible to be promoted to the said post. Subsequently, the petitioner submitted a representation on 03.04.2012 to the second respondent and also to the first and third respondents on 03.05.2012 stating that the petitioner had studied Physics as her allied subject in Bachelor of Electronic Science (B.E.S.) and also claimed that the said degree is equivalent to B.Sc. (Physics). The petitioner further submitted that the said degree *viz.*, Bachelor of Electronic Science (B.E.S.) is sufficient for handling classes from standard 6 to 8. But the respondents did not consider the petitioner's representation and prepared a fresh panel dated 08.05.2012 by deleting the petitioner's name from the promotion panel to the post of B.T.Assistant - Science (Telugu). Aggrieved by the same, the petitioner has come up with this present writ petition.

3. The learned Government Advocate appearing for the respondents submitted that the Government, after careful consideration has decided to accept the recommendations put forth by the 50th Equivalence Committee held on 03.12.2014 *vide* G.O.(Ms.)No.213, Higher Education (K2) Department, dated 17.12.2014 and serial No.1 of the tabular column is extracted below:



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<i>Sl.No.</i>	<i>Subject</i>	<i>Equivalent/Not Equivalent</i>
1	Public Services - Educational Qualification - Consideration of Bachelor of Electronic Science (B.E.S) awarded by University of Madras as to whether equivalent to B.Sc., Physics	Not Equivalent

According to the above said Government Order, the degree awarded by the University of Madras in Bachelor of Electronic Science is not equivalent to B.Sc.Physics.

4. Heard both sides and perused the materials available on record.

In view of the above submission made by the learned Government Advocate, the petitioner is not entitled for appointment to the post of B.T.Assistant - Science (Telugu) and hence, this writ petition stands dismissed. Connected M.Ps are closed. Costs made easy.

22.02.2024

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Index : Yes/No
Citation : Yes/No
Internet : Yes/No



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J.SATHYA NARAYANA PRASAD,J.

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