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W.P.No.5732 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 27.03.2024

CORAM:

THE HONOURABLE MR. JUSTICE **G.K.ILANTHIRAIYAN**

W.P.No.5732 of 2023 and
WMP.Nos.5733 & 5735 of 2023

C.Thannasi

... Petitioner

Vs.

Teachers Recruitment Board,
Rep. By its Chairman,
4th Floor, EVK Sampath Maaligai,
DPI Campus, College Road,
Chennai 600 006

... Respondent

PRAYER: Writ Petition filed under Article 226 of Constitution of India praying to issue a Writ of Certiorarified mandamus calling for the records of the Respondent relating to the Provisional Selection List dated 31.07.2022 for the subject physics for direct recruitment for the post of Lecturers in Government Polytechnic Colleges coming under the tamil Nadu Educational Service insofar as it withheld the Selection of the petitioner with Roll No.19PT1303005490 for the post of Lecturer in Physics in Government Polytechnic Colleges and quash the same and consequently direct the respondent to select the petitioner for the post of Lecturer in Physics in Government Polytechnic Colleges coming under the Tamil Nadu Educational Service pursuant to Advertisement No.14/2019 dated 27.11.2019 under general turn 10 based on the M.Sc.



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Degree secured by the petitioner in Physics with more than 60% marks from Bharathiar University within a time frame to be fixed by this Court.

For Petitioner : Mrs.Nalini Chidambaram,
Senior Counsel
for M/s.C.Uma

For Respondent : Mr.R.Neelakandan,
Additional Advocate General
Assisted by
Mr.R.Siddharth,
Standing Counsel

ORDER

This writ petition has been filed challenging the provisional selection list dated 31.07.2022 for direct recruitment to the post of Lecturer in Government Polytechnic Colleges.

2. The petitioner is qualified with 10th std, 12th std, Undergraduation and Post graduation. The petitioner had completed his three years degree in Government Victoria College, Palakkad (affiliated to University of Calicut) in the year 2007. Based on the said degree, the petitioner secured admission for the course of Master of Science in Physics from Government Arts College, Coimbatore (affiliated to Bharathiyar University). Thereafter, the petitioner is also qualified with



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National Eligibility Test in the month of June 2018. While being so, the respondent issued notification No.14/2019 dated 27.11.2019 calling for applications from the eligible candidates for direct recruitment to the post of Lecturers in Government Polytechnic Colleges and Special Institutions(Engineering / Non Engineering). As per the notification, educational qualification for the post of Lecturer in Physics as stated in clause 6(b) is as follows:

*2.Lecturer in non-engineering subjects: A first class
Master's degree in the appropriate branch of study*

2.1 Therefore, the petitioner applied for the post of Lecturer in Physics. As per GO.Ms.No.242 Higher Education (P1) Department dated 18.12.2012, candidate should qualify 10+2+3+2 / 11+2+3 pattern for non engineering subject. It means the candidate should complete 10th std, HSC(+2), undergraduation for three years and 2 years of post graduation degree. Admittedly, the petitioner had completed his 10th std, 12th std, undergraduation and post graduation. The petitioner was permitted to write examination. However, his result was withheld on the ground that the petitioner had undergone undergraduation degree in the Calicut



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University and it is not equivalent to the degree obtained in Tamilnadu University.

3. The learned Additional Advocate General would submit that the intention of the notification is very clear that the petitioner should complete his undergraduation in the recognised University. Whereas the petitioner had completed his undergraduation in the non recognised university and it is not equivalent to the degree obtained in Tamilnadu as per GO.Ms.No.36 Higher Education Department (K1) dated 15.02.2023. He further submitted that in fact the petitioner challenged the said Government Order in WP.No.9326 of 2023 and this Court by order dated 04.08.2023, dismissed the writ petition on the ground that a report on equivalence after comparing the syllabus that B.Sc. Physics awarded by University of Calicut cannot be considered to be equivalent to B.Sc Physics for the purpose of employment in public services based on the percentage of syllabus similarity which was found to be below the benchmark percentage of 75%.



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4. As stated supra, the qualification as per the notification to the post of Lecturer (non engineering) is that a first class Master degree in the appropriate branch of study. Admittedly, the petitioner is qualified with Master degree of M.Sc. Physics in the Bharathiyar University which is affiliated to Bharathiar University. Bharathiar University is recognised by the University Grants Commission. Though the petitioner completed his undergraduation degree i.e. B.Sc in Calicut University and it is not recognised by the University Grants Commission, he was admitted in the Government Arts College, Coimbatore in Master degree i.e. M.Sc. Physics. Therefore, the requirement for the post of Lecturer in the Government Polytechnic College in non engineering subject is only Master degree which the petitioner is fully qualified to apply for the said post.

5. Therefore, the respondent is directed to publish the result of the petitioner's written examination and if the petitioner is otherwise eligible for the selection process, the respondent is directed to proceed with the selection process to the post of Lecturer in Government Polytechnic Colleges in Non Engineering subject forthwith.



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6. With the above direction, this writ petition is disposed of.

There shall be no order as to costs. Consequently, connected miscellaneous petitions are closed.

27.03.2024

Neutral citation: Yes/No

Index: Yes/No

Speaking/Non-speaking order
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To

Chairman,
Teachers Recruitment Board,
4th Floor, EVK Sampath Maaligai,
DPI Campus, College Road,
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G.K.ILANTHIRAIYAN, J.

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