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W.P.No.17470 of 2020

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 15.11.2024

CORAM :
THE HONOURABLE MR. JUSTICE J.SATHYA NARAYANA PRASAD

Writ Petition No.17470 of 2020

K.Elumalai ... Petitioner
Vs.

- 1.The State of Tamil Nadu,
Rep. by its Principal Secretary to Government,
Higher Education Department,
Secretariat, Fort St.George,
Chennai – 600 009.
- 2.All India Council for Technical Education (AICTE),
No.1, Nelson Mandela Marg,
Pocket 10, Sector B, Vasant Kunj,
New Delhi, Delhi 110 070.
- 3.The Registrar,
Anna University,
Guindy,
Chennai – 600 025.
- 4.The Member Secretary,
Tamil Nadu State Council for Higher Education,
Lady Willingdon College Campus,
Kamarajar Salai,
Chennai – 600 005.

*(R4 Suo-motu impleaded as per order dated 15.11.2024 by JSNPJ in
W.P.No.17470 of 2020)*

... Respondents

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WEB COPY Writ Petition filed under Article 226 of Constitution of India, praying for issuance of Writ of Mandamus directing the respondents to pass orders for declaration of equivalence of B.E. (Electrical and Electronics Engineering) and M.Tech., (VLSI Design) acquired by the petitioner as eligible degrees for Faculty in the Department of Electronics and Communication Engineering in the respondent University, with all consequential and other attendant benefits, based on representation submitted by the petitioner dated 29.06.2020.

For Petitioner : Mr.S.Nedunchezhiyan

For Respondent 1 & 4 : Mr.C.Jayaprakash,
Government Advocate

For Respondent 2 : No appearance

For Respondent 3 : Mr.U.Bharanidharan

ORDER

This writ petition has been filed by the petitioner to direct the respondents to pass orders for declaration of equivalence of B.E. (Electrical and Electronics Engineering) and M.Tech., (VLSI Design) acquired by the petitioner as eligible degrees for Faculty in the Department of Electronics and Communication Engineering in the respondent University, with all consequential and other attendant benefits, based on representation submitted



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by the petitioner dated 29.06.2020.

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2. Learned counsel for the petitioner submitted that the petitioner is qualified with B.E (EEE) and has completed M.Tech (VLSI Design) and working as a teaching fellow in the Department of Electronics and Communication Engineering at University College of Engineering, Villupuram, which is affiliated to the Anna University from the year 2013 onwards, on contract basis. His contract is extended from time to time by orders passed by the Anna University.

3. Learned counsel for the petitioner further submitted that the second respondent issued a notification dated 28.04.2017, framing regulations for recruitment to teaching positions. In the said notification, the 'Electronics Engineering' has been shown as a 'Major Discipline' of Engineering under which “Electrical and Electronics Engineering (EEE)” and “Electronics and Communication Engineering (ECE)” are shown to be corresponding course of Engineering/Technology. The grievance of the petitioner is the EEE has not been shown as a relevant UG Degree in the corresponding course of Electronics and Communication Engineering. However, the Post Graduation Degree ME/M.Tech in VLIS Design has been shown to be the common P.G.



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Degree coming under the 'Electronics Engineering' discipline.

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4. Learned counsel for the petitioner would further submit that in view of the above notification issued by AICTE, the petitioner wants a declaration that B.E (EEE) degree should also be treated as a eligible UG Degree for appointment to the post of Assistant Professor in the Department of ECE.

5. Learned counsel appearing for the third respondent submitted that the petitioner has already filed a writ petition in W.P.No.7184 of 2013 for the similar relief and this Court vide its order dated 28.01.2020 dismissed the same. Challenging the said order dated 28.01.2020, the petitioner preferred an appeal in W.A.No.225 of 2020 and the same was also dismissed on 04.06.2020. For better appreciation and understanding the relevant portion of the judgment dated 04.06.2020 is extracted hereunder:

“The appeal lacks merit and is accordingly rejected. However, in case any declaration of equivalence is granted by the competent authority in future on any approach by the appellant or otherwise, that may have an effect on any such claim, then it will be open to the appellant to seeks employment if offered to him. Consequently, C.M.P.No.3532 of 2020 is closed.”



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6. Heard the learned counsel on either side and perused the materials available on record.

7. The petitioner's prayer in the present case on hand is to declare the equivalence of B.E (Electrical and Electronics Engineering) and M.Tech., (VLSI Design) acquired by the petitioner as eligible degrees for faculty in the Department of Electronics and Communication Engineering in the respondent University with all consequential and other attendant benefits, based on representation submitted by the petitioner dated 29.06.2020. Since the appropriate authority to decide the case of the petitioner is the Equivalence Committee, who is not a party in this writ petition, it is necessary to implead The Member Secretary of the Tamil Nadu State Council for Higher Education as one of the respondents in the writ petition. Accordingly, The Member Secretary, Tamil Nadu State Council for Higher Education, Lady Willingdon College Campus, Kamarajar Salai, Chennai – 600 005 is suo-mottu impleaded as fourth respondent by this Court.

8. In view of the above factual matrix of the case, this Court is inclined



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to issue the following directions:

(i) The petitioner is directed to give a representation to the equivalence committee i.e., suo mottu impleaded fourth respondent along with all the necessary and relevant documents, within a period of two weeks from the date of receipt of a copy of this order.

(ii) On receipt of the said representation, the suo-mottu impleaded fourth respondent i.e., the equivalence committee is directed to consider the same on merits and in accordance with law and pass appropriate order, at the time of its sitting/deliberations.

9. This writ petition is disposed of with the aforesaid observation and directions. No costs. Consequently, connected miscellaneous petition is also closed.

15.11.2024

Note: Registry is directed to carry out the necessary amendment in the cause title.

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Index	:	Yes/No
Speaking Order	:	Yes/No
Neutral Citation	:	Yes/No

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To:

- 1.The Principal Secretary to Government,
Higher Education Department,
Secretariat, Fort St.George,
Chennai – 600 009.
- 2.All India Council for Technical Education (AICTE),
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J.SATHYA NARAYANA PRASAD,J.

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