



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.09.2024

CORAM

THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH

W.P.No.23273 of 2024
and WMP No.25440 of 2024

S.Lavanya

... Petitioner

Vs.

1. The Director of School Education,
DPI Campus, College Road,
Chennai 600 006

2. The Secretary
Teacher Recruitment Board.
Puratchi Thalaivar Dr.MGR Centenary Building,
3rd and 4th Floor, College Road,
Nungambakkam, Chennai 600 006

3. The Equivalence Committee
Represented by its
Chair Person cum Secretary to Government of Tamil Nadu,
Fort St. George, Chennai 9

[Suo-motu impleaded as the 3rd respondent vide
Order dated 04.09.2024 by NAVJ]

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus to directing the respondents to pass orders for appointment of the petitioner to the post of B.T.Assistant (Science) based on the



selection made as per the provisional selection list published by the 2nd respondent dated 20.7.2024 in consideration of representation submitted by the petitioner dated 22.7.2024 within time frame

For Petitioner : Mr.G.Sankaran

Senior Counsel

For Respondents : Mrs.E.Ranganayaki
Additional Government Pleader for
R1 and R3
Mr.R.Neelakandan
Additional Advocate General
Assisted by
Mr.C.Kathiravan
Standing Counsel for R2

ORDER

This writ petition has been filed for the issue of writ of Mandamus directing the respondents to consider the appointment of the petitioner to the post of B.T.Assistant (Science) based on the selection made as per the provisional list published by the 2nd respondent dated 20.07.2024.

2. The sum and substance of the case of the petitioner is that the petitioner completed B.SC Ed integrated course from the Central Institute of



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Mysuru. She also completed Post Graduation in Msc Chemistry from Periyar University. The petitioner also cleared TET in the year 2022. She possesses all the qualifications that were prescribed in the notification issued by the TRB dated 25.10.2023. The petitioner was shortlisted for inclusion in the list of Certificate Verification. The petitioner also attended Certificate verification. The grievance of the petitioner is that the candidature of the petitioner was withheld on the ground that the petitioner did not produce the equivalence Government Order for her UG degree. Aggrieved by the same, the present writ petition has been filed before this Court.

3. Mr.G.Sankaran, learned Senior counsel appearing on behalf of the petitioner submitted that already GO Ms.No.1478 dated 28.08.1970 has been issued which recognized B.Sc ED as equivalence. That apart, it has also been mentioned in the Annexure to the Notification. In view of the same, there is no need for the petitioner to secure an equivalence Government Order and the candidature of the petitioner can be considered based on the certificates already submitted by the petitioner.

4. Per contra, the learned Standing Counsel appearing on behalf of the



2nd respondent submitted that the Government Order that was relied upon by the petitioner only states that the degrees B.SC Ed, BA Ed etc., is equivalent to BT or B.Ed degrees mentioned in the Madras Educational Services. The Government Order does not say that the Bsc Ed degree obtained by the petitioner is equivalent to B.Sc (Chemistry), which is the essential qualification prescribed under the notification. It was therefore contended that the petitioner must get an equivalence Government Order in order to be considered for appointment.

5. The learned Standing counsel appearing for TRB also brought to the notice of this Court one of the Government Order that was obtained by a similarly placed person who had completed B.SC Ed from the University of Mysuru. He had undergone Physics, Chemistry and Mathematics as major subjects and the equivalence certificate was given to the effect that it is equivalent to B.Sc Mathematics. Similarly, the petitioner must also get an equivalence certificate since the petitioner had Chemistry / Botany /Zoology as major subjects and the petitioner must get an equivalence certificate to the effect that it is equivalent to B.Sc Chemistry.



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6. In reply to the above submission, the learned Senior Counsel brought to the notice of this Court a similar case where a candidate had obtained B.SC Ed degree from the University of Mysuru was considered to be equivalent to the UG degree in the State of Tamil Nadu. The learned Senior Counsel contended that the certificate issued by the Principal of the Regional Institute of Education, Mysuru shows that the major subjects undergone by the petitioner in the integrated course was Chemistry, Botany and zoology and therefore, the UG certificate issued to the petitioner must be considered to be equivalent to B.Sc Chemistry.

7. In the considered view of this Court, GO MS No.1478 dated 28.08.1970 only states that B.Sc Ed degree given by the University of Mysuru is equivalent to BT or B.Ed. There is no clarity in this Government Order that it is equivalent to the UG degree in the State of Tamil Nadu.

8. The learned Standing Counsel has brought to the notice of this Court the case of a similarly placed candidate who had completed B.Sc Ed with Physics, Chemistry and Maths as major subjects and he has obtained an



equivalence certificate to the effect that it is equivalent to B.Sc Mathematics.

Therefore, if a similar Government Order is produced by the petitioner to the effect that B.Sc Ed obtained by the petitioner is equivalent to B.Sc Chemistry, the same will be sufficient to consider the candidature of the petitioner for appointment to the post of B.T.Assistant.

9. The Equivalence Committee Represented by its Chair person cum Secretary to Government of Tamil Nadu, Fort St. George, Chennai 9, is suo-motu added as the 3rd respondent in this writ petition. The petitioner is directed to submit the certificates pertaining to her educational qualification before the impleaded 3rd respondent. The impleaded 3rd respondent shall consider whether the UG degree obtained by the petitioner is equivalent to B.Sc (Chemistry) for the purpose of employment in public service. Based on the decision taken by the 3rd respondent, the Government Order shall be issued if the UG degree is considered to be equivalent. This process shall be completed within a period of six weeks from the date of receipt of a copy of this order.

10. The Government Order passed shall be conveyed to the 2nd respondent. Thereafter, the 2nd respondent based on the decision taken by the 3rd



respondent shall proceed further with the consideration of the appointment of the petitioner as BT Assistant (Science). This Court had already directed one post to be kept vacant. In view of the same, once the equivalent certificate is granted, the post that has been kept vacant, can be filled up with the candidature of the petitioner. The entire exercise shall be completed within a period of eight weeks.

11. This writ petition is disposed of in the above terms. No costs. Consequently, the connected miscellaneous petition is closed.

04.09.2024

Internet : Yes
Index : Yes
Speaking Order / Non Speaking Order
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N. ANAND VENKATESH, J.

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To



1. The Director of School Education,
DPI Campus, College Road,
Chennai 600 006

2. The Secretary
Teacher Recruitment Board.
Puratchi Thalaivar Dr.MGR Centenary Building,
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