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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 03.09.2024

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THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH

W.P.No.24527 of 2024
and W.M.P.Nos.26840 & 26841 of 2024

M.Raam Varshini

... Petitioner

Vs.

- 1.The Tamil Nadu Public Service Commission,
Rep. by its Member Secretary,
Frazers Bridge Road,
VOC Nagar,
Park Town,
Chennai – 600 003.
- 2.The Madras University,
Rep.by its Registrar,
Office of the Registrar,
University of Madras,
Chepauk,
Chennai – 600 005.
- 3.The Prinicipal & Director,
Madras Christian College,
Tambaram East,
Chennai – 600 059.



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4. The Government of Tamil Nadu,
Rep. by its Secretary to the Government,
Higher Education Department,
Fort St. George, Secretariat,
Chennai – 600 009.

5. The Principal Secretary to Government,
Finance Department,
Fort St. George, Secretariat,
Chennai – 600 009.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the 1st and 4th respondent to consider the petitioner's Degree of B.Com (Accounting and Finance) obtained from the 3rd respondent and recognized by the 2nd respondent as equivalent to the B.Com Degree and consequently accept the petitioner's B.Com(Accounting and finance) as eligible under the 1st respondent Advertisement No.605, Notification No.03/2022 dated 23.2.2022 for the purpose of selection of the post of Junior Co-operative Auditor and further direct the 1st respondent to appoint the petitioner to the Non-interview post of Junior Co-operative Auditor in Combined Civil Service Examination Group-II(A) vide Advertisement No.605, Notification No.03/2022 dated 23.2.2022



For Petitioner : Fr.Xavier Arulraj
Senior Counsel for
Mr.C.S.Jeyaprakash

For Respondents : Mrs.G.Hema
Standing Counsel for R1

Mrs.V.Sudha for R2

Mr. Mr.Geo J.Akash
for M/s.Issac Chambers for R2

Mr.K.Surendran
Additional Government Pleader
for R4 and R5

ORDER

This writ petition has been filed for issue of writ of mandamus directing the 1st and 4th respondents to consider the degree obtained by the petitioner and to select the petitioner to the post of Junior Co-operative Auditor in the selection conducted by the 1st respondent pursuant to the notification dated 23.02.2022.

2.Heard Fr.Xavier Arulraj, learned Senior Counsel appearing on behalf of the petitioner, Mrs.G.Hema, learned Standing Counsel appearing on behalf of the 1st respondent, Mrs.V.Sudha, learned counsel appearing on behalf of the 2nd



respondent, Mr.Geo J.Akash, learned counsel appearing on behalf of the 3rd respondent and Mr.K.Surendran, learned Additional Government Pleader appearing on behalf of the 4th and 5th respondents.

3.The main ground that was urged by the learned Senior Counsel appearing on behalf of the petitioner is that the petitioner had obtained a degree of B.Com., (Accounting and Finance) issued by Madras University. Already, G.O.Ms.No.55, dated 15.03.2018 has been issued and the B.Com., (Accounting and Finance) awarded by Annamalai University was found to be equivalent to B.Com., for the purpose of employment in public services. In view of the same, the degree that has been obtained by the petitioner must be taken to be equivalent to the B.Com., for the purpose of considering the employment of the petitioner.

4.The learned Senior Counsel in order to substantiate his submission, relied upon the judgment of the Apex Court in ***Parvaiz Ahmad Parry vs. State of Jammu & Kashmir and others*** and placed specific reliance upon Paragraph No.24 of the judgment.



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5.This Court has carefully considered the submissions made on either side and also the materials available on record.

6.This Court has already considered the issue involved in the present writ case in a batch of writ petitions in W.P.Nos.20723 etc., of 2024, dated 30.08.2024. The same reasoning that was given while dismissing those writ petitions will equally apply to the present case also.

7.Insofar as the submission made by the learned Senior Counsel by pointing out to G.O.Ms.No.55, dated 15.03.2018 and contending that the B.Com., (Accounting and Finance) completed by the petitioner from University of Madras must be considered to be equivalent to B.Com., cannot be countenanced. The notification specifically prescribes for the qualification of B.Com., or B.Com., (Computer Application). In the above judgement, this Court dealt with this issue in detail. In fact, one of the candidate in the above judgement had also completed B.Com., (Accounting and Finance). The same was held by this Court not equivalent to B.Com., The same reasoning will apply to the present case also.



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8.The equivalence certificate that has been given for B.Com., (Accounting and Finance) awarded by Annamalai University should confine itself only to the degree that was awarded by that Universities. It cannot be applied across the Board for all the University. Therefore, this Court dos not find any vagueness in the qualification that has been prescribed in the notification. Therefore, the judgement that was relied upon by the learned Senior Counsel appearing on behalf of the petitioner will have no bearing to the facts of the present case.

9.In the result, this writ petition stands dismissed. No Costs. Consequently, connected miscellaneous petitions are closed.

03.09.2024

Internet : Yes
Index : Yes
Speaking Order / Non Speaking Order
ssr



To
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1. The Member Secretary,
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Frazers Bridge Road,
VOC Nagar, Park Town,
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2. The Registrar,
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Office of the Registrar,
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3. The Principal & Director,
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4. The Secretary to the Government,
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N. ANAND VENKATESH, J.

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