



W.P.No.28973 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 24.01.2024

CORAM:

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

W.P.No.28973 of 2022

W.M.P.Nos.28264, 28265 & 28266 of 2022

R.S.Geethapriya

...Petitioner

-Vs -

1. The Secretary to the Government,  
Fisheries and Animal Husbandry Department,  
Fort St. George,  
Secretariat, Chennai – 600 009.
2. The Secretary,  
Tamil Nadu Public Service Commission,  
V.O.C. Nagar,  
Park Town,  
Chennai – 600 003.
3. The Commissioner,  
Fisheries and Fishermen Welfare Department,  
Nandanam, Chennai – 600 035.
4. The Vice Chancellore,  
Tamil Nadu Dr.J.Jayalalitha Fisheries University,  
Vettar River View Campus,  
Nagapattinam,  
Nagapattinam District.



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5. The Registrar,  
Tamil Nadu Dr.J.Jayalalitha Fisheries University,  
Vettar River View Campus,  
Nagapattinam,  
Nagapattinam District.

... Respondents

**Prayer:** Writ Petitions filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus, to call for the records in relates to the notification issued by the second respondent in 5(B) in Advertisement No.636 Notification No.30/2022 dated 14.10.2022 and quash the same and consequently direct the second respondent to include the B.Tech Fisheries Engineering Course in the said notification in 5(B).

For Petitioner : Mr.V.Kasinatha Bharathi  
For Respondents  
For R1 & R3 : Mr.S.Arumugam,  
Government Advocate  
For R2 : Mr.R.Bharanidharan  
Standing Counsel  
For R4 & R5 : Mr.V.Vijay Shankar

### **ORDER**

This writ petition has been filed challenging the Notification No.30/2022 dated 14.10.2022, and to direct the second respondent to include B.Tech Fisheries Engineering Course in the said notification.



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2. The petitioner had completed her B.Tech Fisheries Engineering course in the fourth respondent university. The said course was newly introduced in all over State as well as all over India in the year 2015. The petitioner had completed the B. Tech degree in the year 2019. While being so, the second respondent issued notification No.30/2022 dated 14.10.2022, thereby called upon application to the post of Inspector of Fisheries in Tamil Nadu Fisheries Subordinate Service. In the said notification in Sl.No.5(B), the second respondent had fixed the education qualification as follows :-

“5.....

*(B) Educational Qualification (as on 14.10.2022)*

*Applicants should possess the following or its equivalent qualification awarded by any University or Institution recognized by the University Grants Commission:*

| <b><i>Name of the Post</i></b>       | <b><i>Educational Qualification</i></b>                                                                                                                                                                                                                                                                       |
|--------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b><i>Inspector of Fisheries</i></b> | <i>(i) Must possess a Degree of Bachelor of Fisheries Science awarded by the Tamil Nadu Fisheries University or any other University or Institution recognized by the University Grants Commission;</i><br><i>(or)</i><br><i>(ii) Must possess a degree of M.Sc., in Zoology or Marine Biology or Coastal</i> |



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| <b><i>Name of the Post</i></b> | <b><i>Educational Qualification</i></b>                                                                                                                                                                                                                                                                                                                                |
|--------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|                                | <i>Aquaculture or Mariculture or Special Zoology or Coastal Engineering or Oceanography awarded by any University or Institution recognized by the University Grants Commission. Provided that candidates possessing the qualifications prescribed in item (ii) shall be considered only if no candidates with qualification prescribed in item (i) are available.</i> |

3. Even before notification, the petitioner had sent several representation and request seeking inclusion of the B.Tech Fisheries Engineering Course for the post of Inspector and Sub Inspector for the Fisheries Department. However, the decree of B.Tech Fisheries Engineering was not added as educational qualification in the notification. The B.Tech Fisheries Engineering course is a four years course and also professional degree. The petitioner has studied much more rather than the candidates, who are studying three years degree course and other courses mentioned as educational qualification in the notification.

4. Heard the learned counsel appearing on either side and perused the materials placed before this Court.



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5. The first and third respondents filed counter and it revealed that Bachelor of Fisheries Science as the educational qualification for the post of Sub Inspector of Fisheries under direct recruitment for 60% of the vacancy shall continue. The inclusion of B.Tech (Fisheries Engineering) to be considered as a eligible qualification for the post of Sub-Inspector of Fisheries through direct recruitment under 40% quota non- Bachelor of Fisheries Science graduates. Combination of Bachelor of Fisheries Science and Non Bachelor of Fisheries Science qualification in Sub Inspector of Fisheries recruitment to fulfill the requirement of the department in the field level is under active consideration. In this regard, necessary amendments will be issued as soon as the Government takes a final decision to include the qualification of B.Tech Fisheries Engineering for direct recruitment to the post of Sub Inspector of Fisheries under the 40% non-Bachelor of Fisheries Science quota.

6. Further stated that the fisheries engineering mainly deals with the subjects related to the creation of infrastructure in fisheries sector. Hence there is no vast difference between the both courses viz., Bachelor of Fisheries Science and B.Tech in Fisheries Engineering. Therefore, the petitioner was permitted to apply to the post of Sub



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Inspector of Fisheries and she had appeared for written examination. The result has been published and the petitioner is not qualified for selection to the post of Inspector. Hence, the prayer sought for in this writ petition cannot be considered and the writ petition is devoid of merits and liable to be dismissed.

7. Accordingly, the Writ Petition stands dismissed. Consequently, connected miscellaneous petitions are closed. There shall be no orders as to costs.

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(2/2)

Internet: Yes  
Index : Yes/No  
Speaking/Non Speaking order

rts



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To  
WEB COPY

1. The Secretary to the Government,  
Fisheries and Animal Husbandry Department,  
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Secretariat, Chennai – 600 009.
2. The Secretary,  
Tamil Nadu Public Service Commission,  
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Chennai – 600 003.
3. The Commissioner,  
Fisheries and Fishermen Welfare Department,  
Nandanam, Chennai – 600 035.
4. The Vice Chancellore,  
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Vettar River View Campus,  
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Nagapattinam District.
5. The Registrar,  
Tamil Nadu Dr.J.Jayalalitha Fisheries University,  
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**G.K.ILANTHIRAIYAN. J.**

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