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W.P.No.3563 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 16.02.2024

CORAM:

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

W.P.No.3563 of 2024
and
W.M.P.No.3825 of 2024

Bala Sundar C

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Petitioner

Vs

1.The Secretary,
Tamil Nadu Public Service Commission,
Chennai – 600 001.

2.The Chairman,
Tamil Nadu Pollution Control Board (TNPCB),
No.76, Mount Road,
Guindy, Chennai – 600 032.

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Respondents

Prayer : Writ Petition filed under Article 226 of Constitution of India praying for the issuance of a Writ of Mandamus directing the first respondent to include B.Tech Petroleum Refining and Petrochemicals awarded by Anna University as a required basic qualification for selection to the post of Assistant Engineer in the Tamil Nadu Pollution Control Board (Sl.No.14 of the notification) and to consider the petitioner for selection to the said post of Assistant Engineer.

For Petitioner	: Mr.V.G.Suresh Kumar
For R1	: Mr.G.Hema
	Standing Counsel
For R2	: Mr.V.Veluchamy
	Additional Government Pleader



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ORDER

This Writ Petition has been filed for direction directing the first respondent to include B.Tech Petroleum Refining and Petrochemicals awarded by Anna University as a required basic qualification for selection to the post of Assistant Engineer in the Tamil Nadu Pollution Control Board.

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

3. The petitioner is qualified with M.Tech Petroleum Refining and Petrochemicals. The first respondent issued a Notification No.23 of 2023 dated 13.10.2023 calling for applications for the post of Assistant Engineer in the Tamil Nadu Pollution Control Board (TNPCB). The qualification prescribed for the post of Assistant Engineer is that the basic qualification should be a Bachelor's Degree in Civil Engineering or Chemical Engineering or Environmental Engineering and Master's Degree in Environment Engineering/Chemical Engineering/M.Tech Environmental Science and Technology awarded by Anna University/M.Tech Petroleum Refining and Petrochemicals awarded by Anna University/M.E. Environmental Management awarded by Anna University.

4. The respondents failed to include the Bachelor Degree in



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Petroleum Refining and Petrochemicals awarded by Anna University in the basic qualification. As far as the Master Degree is concerned, M.Tech Petroleum Refining and Petrochemicals awarded by Anna University was included as qualification. In this very same issue, already the petitioner filed writ petition before this Court in W.P.No.2138 of 2021 for B.Tech Petroleum Refining and Petrochemicals should be treated as equivalent to Chemical Engineering as it was done to M.Tech Petroleum Refining and Petrochemicals under G.O.Ms.No.157, Higher Education (J1) Department, dated 27.08.2013. This Court, by an order dated 14.12.2023, held that, as submitted by the learned counsel for the respondents, G.O.Ms.No.4 Higher Education (J1) Department, dated 07.01.2022 recommended that B.Tech Petroleum Refining and Petrochemical Technology is equivalent to B.E.Chemical Engineering. Since the selection process was over and all the posts were filled up, the writ petition became infructuous.

5. It was further stated that it is open to the respondent to amend the Service Regulation in accordance with the Government Orders issued by equating B.Tech Petroleum Refining and Petrochemical Technology with B.E.Chemical Engineering. Already the Government itself has categorically accepted that B.Tech Petroleum Refining and Petrochemical Technology is equivalent to B.E.Chemical Engineering for the purpose of public employment.



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Now in the present notification also the first respondent failed to mention the Bachelor Degree in Petroleum Refining and Petrochemicals, though the Master Degree was mentioned. Now the petitioner applied for the post of Assistant Engineer in the Tamil Nadu Pollution Control Board.

6. Therefore, the first respondent is directed to consider the petitioner's candidature to the post of Assistant Engineer in the Tamil Nadu Pollution Control Board as per G.O.Ms.No.4, Higher Education (J1) Department, dated 07.01.2022 that the B.Tech in Petroleum Refining and Petrochemical Technology is equivalent to B.E.Chemical Engineering.

7. With the above direction, this Writ Petition stands disposed of. Consequently, connected miscellaneous petition is closed. No costs.

16.02.2024

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

1.The Secretary,
Tamil Nadu Public Service Commission,



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Chennai – 600 001.

2. The Chairman,
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G.K.ILANTHIRAIYAN. J.

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