



WP(MD). No.15810 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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Date : 16/07/2024

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The Hon`ble Ms.Justice R.N.MANJULA

**WP(MD). No.15810 of 2024
and WMP(MD) No.13762 of 2024**

Vijendran S

... Petitioner

Vs

The Management Of
Tamilnadu State Transport Corporation
(Kumbakonam) Ltd.,
Rep. by Its the General Manager,
Kumbakonam.

... Respondent

PRAYER :-Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus, calling for the records relating to the impugned order of the respondent in TNSTC/Kumba/Nir7/216/2024 dated 26.06.24, quash the same and consequently to direct the respondent to enter the B.A.degree acquired by the petitioner in his service book and to include his name in the panel for promotion to the post of Checking Inspector under 25 percentage quota reserved for the conductor with degree qualification.

For Petitioner : Mr.V.R.Arunkumar,

For Respondent : Mr.K.Ramaiah



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ORDER

By consent of both sides, the writ petition itself is taken up for final disposal at the admission stage itself.

2. Heard the learned counsel for the petitioner and the learned counsel for the respondents.

3. The petitioner has filed this writ petition challenging the impugned order of the respondent dated 26.06.2024, through which, the petitioner's higher qualification of Bachelor Degree had not been entered in his service register.

4. The petitioner, who was appointed as Conductor on 28.04.2008 in the respondent corporation, is now working as a Selection Grade Conductor. He has given a representation to the respondent stating that he had completed graduation and hence he should be treated as graduate conductor. However, the same was refused by the respondent stating that he did not get any prior permission before completing the degree.



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5. The learned counsel for the petitioner submitted that the petitioner had completed the degree even before 1999. In fact, the petitioner did not qualify himself to get the degree, as he had arrears and that was completed in the year 2016.

6. The petitioner had joined the course before he joined the respondent corporation, but he had appeared for examination only after he had joined. It would have been safer, if he got the prior permission from the respondent. However, the petitioner can make a representation to approve his acquired qualification without getting permission by seeking excuse. If the petitioner submits such a representation, the respondent shall consider it objectively and pass fresh orders.

7. In the result, the writ petition is disposed of by setting aside the impugned order dated 26.06.2024 and the petitioner is given liberty to make a fresh representation to approve his acquired qualification, by appearing the examination without getting permission, which is to be entered in the service register, within a period of two weeks from the date of receipt of a copy of this order. On receipt of the same, the respondent



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shall consider the same objectively and pass orders within three weeks thereafter. No costs. Consequently connected Miscellaneous Petition is closed.

16.07.2024

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R.N.MANJULA,J

RR

**ORDER
IN
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