



W.P.(MD)No.17347 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **29.07.2024**

CORAM:

THE HONOURABLE MS.JUSTICE R.N.MANJULA

W.P.(MD)No.17347 of 2024

and

W.M.P.(MD)Nos.14913 & 14914 of 2024

M.Mani

... Petitioner

VS.

- 1.The State of Tamil Nadu,
Rep. by its Principal Secretary to the Government,
Department of Higher Education,
Secretariat,
Chennai - 9.
- 2.State of Tamil Nadu,
Rep. by its Principal Secretary to the Government,
Department of School Education,
Secretariat,
Chennai - 9.
- 3.The Member Secretary,
Tamil Nadu State Council For Higher Education,
Neelam Nasha,
Dargapuram,
Triplicane,
Chennai – 600005.



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4.The Teachers Recruitment Board,
Rep. by its Chairman,
4th Floor, Evk Sampath Maligai,
Dpi Compound,
College Road,
Chennai - 600006.

5.The Registrar,
Madurai Kamaraj University,
Palkalai Nagar,
Madurai – 625021.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus to call for the records pertaining to the impugned provisional Selection list dated 18.07.2024 published by the 4th respondent in the Official Website as illegal insofar as withholding the selection of the petitioner vide S.No.59 is concerned and consequently for a direction directing the respondent No.4 to select and appoint the petitioner in the post of Graduate Assistant/BRTE in Zoology within the time period stipulated by this Court.

For Petitioner : Mr.T.Aswin Rajasimman
For Respondents : Mr.M.Siddharthan (R1 to R3)
Additional Government Pleader
Mr.VR.Shanmuganathan (R4)
Standing Counsel



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ORDER

This writ petition has been filed challenging the impugned provisional Selection list dated 18.07.2024 published by the 4th respondent in the Official Website as illegal, insofar as withholding the selection of the petitioner vide S.No.59 is concerned and seeking for a direction to the fourth respondent to select and appoint the petitioner in the post of Graduate Assistant/BRTE in Zoology within the time period stipulated by this Court.

2. Heard Mr.T.Aswin Rajasimman, learned counsel appearing for the petitioner, Mr.M.Siddharthan, learned Additional Government Pleader appearing for respondents 1 and 3 and Mr.VR.Shanmuganathan, learned counsel appearing for the fourth respondent.

3. The petitioner had earlier filed a writ petition in WP(MD)No.13025 of 2024 seeking for a direction to issue equivalence certificate clarifying that B.Sc.Zoology (Vocational) - Industrial Microbiology awarded by 5th respondent University is equivalent to



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B.Sc.Zoology for the purpose of public employment. In the said writ petition, it was contended that similar course offered by Periyar University is given with equivalence, whereas the said approval was not granted for the similar programme offered by Madurai Kamaraj University. On 20.06.2024, the said writ petition was disposed with a direction to the respondents to consider and pass orders on the representation of the petitioner by applying the principles of equality.

4. Now, the learned counsel appearing for the petitioner submitted that no order has been passed on the petitioner's representation as directed by this Court.

5. In such circumstances, if the petitioner is found to be ineligible for getting appointment order for want of equivalence certificate, despite his name figures in the selection list, prejudice will be caused to the petitioner.



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6. In view of the above, this writ petition is disposed of by directing the respondents to either reserve one post for the petitioner, until the petitioner's representation with regard to the equivalence certificate is considered, as per the order dated 20.06.2024 passed in WP(MD)No. 13025 of 2024 or hold the issuance of appointment orders to the candidates atleast to the post for which the petitioner is eligible, till such time the Government takes a decision in equivalence. No costs. Consequently, connected miscellaneous petitions are closed.

29.07.2024

NCC: Yes/No
Index : Yes/No
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TO:-

- 1.The Principal Secretary to the Government,
Department of Higher Education,
Secretariat,
Chennai - 9.
- 2.Principal Secretary to the Government,
Department of School Education,
Secretariat, Chennai - 9.



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3.The Member Secretary,
Tamil Nadu State Council For Higher Education,
Neelam Nasha, Dargapuram,
Triplicane, Chennai – 600005.

4.The Teachers Recruitment Board,
Rep. by its Chairman,
4th Floor, Evk Sampath Maligai,
Dpi Compound, College Road,
Chennai - 600006.

5.The Registrar,
Madruai Kamaraj University,
Palkalai Nagar, Madurai – 625021.

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