



W.P.No.31392 of 2012

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 13.08.2025

CORAM:

THE HONOURABLE MR.JUSTICE MUMMINENI SUDHEER KUMAR

W.P.No.31392 of 2012

P.Sundharajan

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Petitioner

-VS-

1 The Government of Tamil Nadu,
rep. by its Secretary,
Higher Education Department,
Chennai - 9.

2 The Director of Technical Education,
Guindy,
Chennai.

3 The Secretary,
Teachers Recruitment Board,
EVK Sampath Malligai,
College Road,
Chennai.

4 The Secretary,
University Grants Commission,
Bahadur Shah Zafar Marg,
New Delhi - 110 002.

5 Thilagam

...

Respondents



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WEB COPY: PRAYER: Writ Petition is filed under Article 226 of the Constitution of India, praying for issuance of a writ of certiorarified mandamus, to call for the records pertaining to the proceedings dated NIL with regard to the Roll No.12EG08120001, issued by the 3rd respondent, rejecting the petitioner's claim, quash the same, and direct the respondents 2 and 3 to appoint the petitioner as Assistant Professor of Engineering.

For Petitioner : Mr.B.Ravi

For Respondents 1 & 2 : Ms.Indhu Bala,
Addl. Govt. Pleader.

For Respondent 3 : Mr.R.Neelakandan,
Addl. Advocate General,
assisted by Mr.C.Kathiravan,
Standing Counsel.

For Respondent 4 : Ms.V.Sudha

ORDER

Heard Mr.B.Ravi, learned counsel for the petitioner, and Mr.R.Neelakandan, learned Additional Advocate General, appearing for third respondent - Teachers Recruitment Board.



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2. The petitioner participated in the recruitment process in response to the notification issued by third respondent Board vide No.01/2012, dated 11.02.2012, for the post of Assistant Professor - Metallurgy, and secured 135 marks in written examination. The candidature of the petitioner was rejected by the respondent Board, on the ground that the petitioner did not possess the requisite qualification, prescribed in the notification. The qualification, that was prescribed for the post of Assistant Professor - Metallurgy, was B.E. or B.Tech. or M.E. or M.Tech., in relevant branch of Engineering or Technology with first class, or its equivalent either in B.E. or B.Tech. or M.E. or M.Tech.

3. Admittedly, the petitioner did not possess the qualification, that was prescribed in the notification in question. However, the petitioner claimed that the qualification possessed by him, namely, M.E. (Integrated Course), awarded by Indian Institute of Science, Bangalore, was equivalent to B.E. Metallurgical Engineering and that the same was also certified by the said institute, and, therefore, he was eligible for being appointed to the post of Assistant Professor - Metallurgy, but, the candidature of the petitioner was rejected, though the respondent Board was under obligation to subject the qualification possessed by the petitioner for the decision of the Equivalence Committee, constituted in terms of G.O.Ms.No.441, P & AR (R) Department, dated 20.12.1993.



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4. No doubt, in terms of Clause 4 (C) of the Notification in question, the respondent Board ought to have subjected the qualification possessed by the petitioner to the decision of the Equivalence Committee, constituted under G.O.Ms.No.441, P & AR (R) Department, dated 20.12.1993, and it is only in case the said Committee refused to treat the qualification possessed by the petitioner as equivalent to that of the qualification prescribed in Clause 4 (C) of the Notification in question, the candidature of the petitioner can be rejected. But, in the instant case, without subjecting the qualification possessed by the petitioner to the decision of the Equivalence Committee, the candidature of the petitioner was rejected. Such a procedure adopted by the respondent Board was contrary to the very notification issued.

5. Be that as it may, today, when the matter is taken up for consideration, the learned Additional Advocate General submitted that, in terms of the order passed by this Court in the present Writ Petition on 27.02.2024, the qualification possessed by the petitioner was placed before the Equivalence Committee, constituted under G.O.Ms.No.441, dated 20.12.1993, and the said Committee refused to treat the qualification possessed by the petitioner as equivalent to B.E. Metallurgical Engineering and M.E. Metallurgical Engineering, and, accordingly, an order was issued in G.O.Ms.No.186, Higher Education (J1) Department, dated 25.10.2024, and a copy of the same is also placed before the Court.



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6. In the light of the above G.O.Ms.No.186, dated 25.10.2024, refusing to recognise the qualification possessed by the petitioner as equivalent to that of the qualification prescribed in the Notification in question for the post of Assistant Professor - Metallurgy, the claim of the petitioner to be considered for the said post does not arise at all. Though the procedure adopted by the respondent Board at the initial stage in rejecting the candidature of the petitioner is found to be erroneous, this Court is not inclined to grant any relief to the petitioner, in view of the subsequent order passed in G.O.Ms.No.186, dated 25.10.2024.

7. Accordingly, this Writ Petition stands dismissed. However, it is made clear that if the petitioner is aggrieved by the order passed in G.O.Ms.No.186, dated 25.10.2024, it is open for him to take appropriate steps in accordance with law. No costs. Consequently, the connected M.P.No.1 of 2012 is closed.

13.08.2025

NCC : Yes / No
Index : Yes / No
Internet : Yes / No

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MUMMINENI SUDHEER KUMAR, J.

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