



W.P.No.14094 of 2018

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 11.03.2025

CORAM

THE HONOURABLE MS.JUSTICE R.N.MANJULA

W.P.No.14094 of 2018 and
W.M.P.No.16668 of 2018

V.Archunan

... Petitioner

Vs.

- 1.The Secretary to Government of Tamil Nadu,
School Education Department,
Fort St.George, Chennai - 9.
- 2.The Director of School Education,
College Road, Nungambakkam,
Chennai 600 006.
- 3.The Chief Educational Officer,
Nagapattinam,
Nagapattinam District.
- 4.The District Educational Officer,
Nagapattinam,
Nagapattinam District.
- 5.The District Elementary Educational
Officer,
Nagapattinam,
Nagapattinam District.
- 6.The Block Educational Officer,



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Vedaranyam Block,
Vedaranyam Taluk,
Nagapattinam District.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, to call for the records relates to the proceedings of the fifth respondent in Na.Ka.No.1503/Aa2/2018 dated 21.05.2018 and quash the same and consequently, direct the respondents to promote the petitioner as B.T.Assistant (Science) in Vedaranyam Block, Vedaranyam Taluk, Nagapattinam District.

For Petitioner : Mr.V.Kasinatha Bharathi

For Respondents : Mrs.P.Rajarajeswari, GA

ORDER

This Writ Petition has been filed to call for the records relating to the proceedings of the fifth respondent in Na.Ka.No.1503/Aa2/2018 dated 21.05.2018 and quash the same and consequently, direct the respondents to promote the petitioner as B.T.Assistant (Science) in Vedaranyam Block, Vedaranyam Taluk, Nagapattinam District.

2. Heard Mr.V.Kasinatha Bharathi, learned counsel for the



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petitioner, Mrs.P.Rajarajeswari, learned Government Advocate for the respondents and perused the materials available on record.

3. The petitioner who has been working as Secondary Grade Teacher has qualified himself in B.Ed degree on 31.10.2011. He has also undertaken a degree courses in B.Sc.,(Maths) and B.Sc.,(Zoology). The petitioner has completed his B.Sc.,(Maths) during the academic year 2013-16 and he has completed B.Sc.,(Zoology) during the academic year 2014-17. The petitioner's name has been included in the qualified list of persons who have acquired B.Ed degree as on 01.01.2017 and the persons having the qualification of B.Sc.,(Maths) in B.T.Assistant (Maths) panel as on 01.01.2018.

3.1. The petitioner's grievance is that despite he has acquired a degree in B.Sc., (Zoology) also, his name was not included for B.T.Assistant (Science) panel list as on 01.01.2018. The representation given by the petitioner to this effect has been rejected by the fifth respondent on the observation that the petitioner has done both the degrees in one and the same time.



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3.2. The petitioner's B.Sc.,(Maths) degree course had spread across the academic years 2013-14, 2014-15 and 2015-16. The petitioner's B.Sc., (Zoology) degree had spread across the period from 2014-15, 2015-16 and 2016-17. As the petitioner appears to have studied B.Sc., (Maths) and B.Sc., (Zoology) simultaneously during the academic year 2014-15, 2015-16, the petitioners request to include him in the B.T.Assistant (Science) panel was rejected.

4. The learned counsel for the petitioner submitted that the rule of simultaneous degree is applicable only for acquiring U.G. degree along with B.Ed and that will not applicable for acquiring two U.G degrees apart from B.Ed in one and the same time. The petitioner had obtained B.Ed degree in the year 2011. He had simultaneously done B.Sc.,(Maths) and B.Sc.,(Zoology) and he claims that he is eligible to be included in B.T.Assistant (Science) panel also as on 01.01.2018. Reliance was placed on the judgment of the Hon'ble Supreme Court held in the case of *A.Dharmaraj Vs. The Chief Educational Officer, Pudukkottai, reported in CDJ 2022 SC 213.*



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5. The above said case involves the person who had done two degrees viz., B.A., (English) and M.A., (Tamil) simultaneously. On facts, it is seen that the petitioner involved in that case had completed B.A., (English) during January 2012 to December 2014 and he had joined his two years M.A., (Tamil) through Distance Education during the academic years 2013-14 and 2014-15. As the M.A.degree cannot be equated with B.A., B.Sc. and B.Ed., it is held that the petitioners M.A.degree can be ignored and his B.A., (English) degree can be considered for including him in the panel for B.T.Assistant (English).

6. In the instant case, the petitioner has not done any U.G and P.G. degree simultaneously in order to ignore his P.G.degree so as to qualify him to be included in any of the B.T.Assistant panel. The petitioner had undergone two simultaneous B.Sc. degrees one in Maths and another in Science. The petitioner cannot ignore one among the above two degrees. Hence, he has filed this Writ Petition to consider both in order to give him the benefit of including him in both the B.T.Assistant (Science) and B.T.Assistant (Maths). So the petitioner cannot claim parity with the



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petitioner involved in the case of *A.Dharmaraj Vs. The Chief Educational Officer, Pudukkottai*, reported in (CDJ 2022 SC 213) (cited *supra*).

7. The learned Government Advocate appearing for the respondents submitted that in the Full Bench judgment of this Court involved in *W.P.Nos.2807 of 2014 etc., batch, dated 26.04.2021, (R.Chitra and Others Vs. The Member Secretary and Others)* for the question as to whether dual degrees obtained simultaneously during the same academic year can be considered for the employment purpose. It is held that unless and until, the UGC recognises such dual degree course, there is no obligation on the part of the University or employer to recognise such dual degree course in the absence of any such rules in this regard. On the above observations, the earlier judgment rendered by the Division Bench of this Court in the case of *B.Jagadeeswari Vs. The Chairman, Teachers Recruitment Board, Chennai (W.A.No.845 of 2013 dated 07.01.2014)* was held to be acceptable and the other judgment rendered in the other case, *The Secretary, School Education Department, Fort St. George and two others Vs. L.Kavitha*



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(W.A.No.1098 of 2012 dated 24.06.2016) was held to be unacceptable.

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As the position of law has already been settled by the Full Bench of this Court, the petitioner cannot persuade the relief as requested by him in this Writ Petition. Further, this case does not involve dual degrees by doing one course, but securing two degrees in a same academic year by doing two different courses.

8. In view of the above stated reasons, this Writ Petition is dismissed. No costs. Consequently, connected miscellaneous petition is closed.

Index : Yes /No
Speaking / Non-speaking
Neutral Citation : Yes / No
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R.N.MANJULA, J.

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