



W.A No. 1134 of 2025

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 17-09-2025

CORAM

THE HON'BLE MR JUSTICE R.SURESH KUMAR

AND

THE HON'BLE MR JUSTICE HEMANT CHANDANGOUDAR

W.A No. 1134 of 2025

AND

CMP.No. 8762 of 2025

The Secretary
Tamil Nadu Public Service Commission,
TNPSC Road, Chennai – 600003

..Appellant

Vs

1.C.Kalaiselvi

2.The State of Tamil Nadu
Rep by its Secretary to Government
Higher Education Department,
Fort St.Geroge, Chennai-09.

..Respondents

Writ Appeal is filed under Clause 15 of Letter Patent to set aside the order dated 05.02.2024 passed in W.P.No. 2514 of 2024.



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For Appellant: Mr.I. Abrar Md. Abdullah

For Respondent : Mr.S.Sathiachandran - R1

Mr. A.Selvendran, Spl.GP - R2

JUDGMENT

(Made by ***HEMANT CHANDANGOUDAR, J.***)

This intra-court appeal is directed against the order dated 05.02.2024 passed by the learned Single Judge in W.P.No. 2514 of 2024. By the said order, the appellant was directed to verify whether the qualification obtained by the writ petitioner, viz., B.Sc. (Mathematics and Applied Mathematics), is equivalent to B.Sc. (Mathematics). Pending such verification, the appellant was directed to keep one post of Assistant Statistical Investigator vacant. The learned Single Judge further directed that, if the said qualification is declared equivalent, the 2nd respondent shall consider the case of the writ petitioner and, if she falls within the zone of consideration, appoint her to the said post.

2. Pursuant to the notification dated 15.09.2022 issued by the appellant for recruitment to the post of Assistant Statistical Investigator, the writ



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petitioner submitted her application claiming that she possessed the requisite qualification, namely B.Sc. (Mathematics and Applied Mathematics). She appeared in the written examination, secured 355.5 marks out of 450, and was placed at State Rank-6 and Communal Rank-5.

2.1. Subsequently, she was directed to upload her self-declarations regarding (i) knowledge of MS Excel and (ii) production of equivalence Government Order for the prescribed educational qualification. However, she was not called for the interview on the ground that the degree possessed by her was not equivalent to B.Sc. (Mathematics). Consequently, her candidature was rejected. The writ petitioner challenged the said rejection in the writ petition, and by the impugned order, the learned Single Judge directed verification of the equivalence of her qualification.

3. Mr. J. Abrar Mohammed Abdulla, learned Standing Counsel appearing for the appellant, contended that as on the crucial date, namely the date of issuance of the recruitment notification (15.09.2022), the degree obtained by the writ petitioner had not been recognized as equivalent to B.Sc. (Mathematics). Hence, it could not be treated as such. It was submitted that



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granting such equivalence retrospectively would prejudice other similarly situated candidates who possessed the prescribed qualification and who would otherwise be eligible for appointment. On this premise, it was argued that the impugned order of the learned Single Judge is unsustainable in law.

4. Per contra, Mr. S. Sathiachandran, learned counsel for the 1st respondent/writ petitioner, submitted that the Government, vide G.O.Ms.No.169 of the Higher Education (K1) Department dated 24.09.2024, had specifically declared that the degree of B.Sc. (Mathematics and Applied Mathematics) offered by Avinashilingam University for Women shall be treated as equivalent to B.Sc. (Mathematics) for purposes of public employment, with effect from the date of issuance of such degree.

5. It was therefore contended that the argument advanced by the appellant regarding non-retrospective application of equivalence is misconceived and devoid of merit. Learned counsel further submitted that, pursuant to the order of the learned Single Judge, the writ petitioner has been provisionally appointed as Assistant Statistical Investigator subject to the



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outcome of the present appeal, and she continues to hold the said post till date.

6. We have carefully considered the rival submissions of the learned counsel for the parties and perused the materials available on record.

7. A similar issue came up for consideration before a Division Bench of this Court in W.A.No.3410 of 2024 dated 29.04.2025, wherein one of us (Justice R. Suresh Kumar) was a member of the Bench. In that case, it was held that if a writ petitioner was ineligible to apply for want of the requisite qualification, his application ought to have been treated as incomplete and rejected at the threshold. However, since the writ petitioner therein was permitted to participate in the selection process, it was held that the order of the learned Single Judge, directing verification of equivalence, did not call for interference. The ratio of the aforesaid judgment squarely applies to the facts of the present case.

8. In the present case, the Additional Chief Secretary to Government, Higher Education Department, by order dated 24.09.2024, approved the resolution passed in the 27th Equivalence Committee meeting held on



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13.09.2024. By the said order, the degree of B.Sc. (Mathematics and Applied Mathematics) offered by Avinashilingam University for Women and conferred on the writ petitioner was declared equivalent to B.Sc. (Mathematics) for the purpose of public employment, with effect from the date of issuance of such degrees.

9. This declaration, by its very terms, applies retrospectively from the date of issuance of the degree conferred on the writ petitioner . Consequently, the degree obtained by the 1st respondent/writ petitioner for the academic years 2006–2009 stands fully covered by the said Government Order. Thus, as on the date of the recruitment notification dated 15.09.2022, the qualification of the writ petitioner must be deemed to be equivalent to the prescribed qualification.

10. In light of the foregoing discussion, we are of the considered view that the Government Order in G.O.Ms.No.169 of the Higher Education (K1) Department dated 24.09.2024, having recognized the degree of B.Sc. (Mathematics and Applied Mathematics) obtained by the 1st respondent/writ petitioner in 2009 as equivalent to B.Sc. (Mathematics), fully satisfies the



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eligibility criteria prescribed in the recruitment notification dated 15.09.2022.

Accordingly, the impugned order of the learned Single Judge does not warrant interference.

11. The writ appeal fails and is, therefore, dismissed as devoid of merits. Consequently, the connected miscellaneous petition stands closed. No order as to costs.

(R.S.K. J.,) (H.C. J.,)

17.09.2025

Index : Yes / No
Internet : Yes/No
Neutral Citation : Yes / No
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To
The Secretary to Government
Higher Education Department,
Fort St.Geroge, Chennai-09.



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R. SURESH KUMAR, J.

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