



W.P.No.36562 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 26.09.2025

CORAM:

THE HON'BLE MR.JUSTICE **A.D.JAGADISH CHANDIRA**

W.P.No.36562 of 2025

N.Gopal

...Petitioner

Vs.

1. The State of Tamil Nadu,
Rep. by the Secretary,
Labour Welfare and Skill Development Department,
Secretariat,
Fort St. George, Chennai – 600 009.
2. The Additional Director,
Directorate of Employment and Training,
Guindy, Chennai – 600 032.
3. The Joint Director (Craftsman Training),
Directorate of Employment and Training,
Guindy, Chennai – 600 032.
4. The Joint Director (Employment Wing),
Directorate of Employment and Training,
Guindy, Chennai – 600 032.

...Respondents

Writ petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, to call for the records pertaining to the impugned order in Na.Ka.No.40599/TP2/2018 dated 29.04.2025 on the



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file of the respondent No.2 and signed by the Administrative Officer (Employment) dated 05.05.2025 and quash the same as illegal and consequently, to direct the respondent No.2 to consider the claim of the petitioner for appointment to the post of Junior Training Officer in the available vacancies by taking note of the qualification of Diploma in Production Engineering on a par with persons already appointed with similar qualification within the time stipulated by this Hon'ble Court.

For Petitioner : Mr.S.Louis

For Respondents : Mr.R.U.Dinesh Raj Kumar, AGP

ORDER

This writ petition has been filed seeking quashment of the proceedings of the 2nd respondent in Na.Ka.No.40599/TP2/2018 dated 29.04.2025 and for a consequential direction to the 2nd respondent to consider the petitioner's claim for appointment to the post of Junior Training Officer in the available vacancies, by taking note of the qualification of Diploma in Production Engineering (in short 'DPE') on a par with persons already appointed with similar qualification.

2. Mr.R.U.Dinesh Raj Kumar, learned Additional Government



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Pleader takes notice on behalf of the respondents. In view of the consent expressed by the learned counsel on either side, this writ petition is taken up for final disposal at the admission stage itself.

3. The case of the petitioner is that, he completed Diploma in Production Engineering (in short 'DPE'). The petitioner participated in the selection process for the post of Junior Training Officer. However, the petitioner was not selected on the ground that his qualification in Diploma in Production Engineering is not equivalent to other Diploma Courses like Mechanical Engineering. However, pursuant to subsequent developments in respect of vacancies to the post of Junior Training Officers and also after coming to know that the persons with similar qualification as that of the petitioner are employed as Junior Training Officers, the petitioner made a fresh representation before the 1st respondent on 25.01.2025 and upon receipt of the same, the Joint Secretary, Labour Welfare and Skill Development Department, *vide* communication dated 05.02.2025, directed the Director, Employment and Training to provide the petitioner with the final decision in respect of his claim for appointment to the post of Junior



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Training Officer on a par with other similarly placed persons. However, as there was no progress thereafter, the petitioner approached this Court by way of filing a writ petition in W.P.No.28244 of 2025 and pending the said writ petition, the present impugned order dated 29.04.2025 came to be passed by the 2nd respondent, rejecting the petitioner's claim. Challenging the same, the petitioner has come up with this writ petition.

4. Heard the learned counsel on either side and perused the materials available on record.

5. Mr.R.U.Dinesh Raj Kumar, learned Additional Government Pleader appearing on behalf of the respondents submitted that, for the very same relief, the petitioner had earlier filed a writ petition before this court in W.P.No.32125 of 2018 and the same was allowed, vide order dated 07.01.2019. Aggrieved by the same, the 3rd respondent herein preferred an appeal in W.A.No.2667 of 2019 and an Hon'ble Division Bench of this Court, *vide* judgment dated 23.12.2020, allowed the said writ appeal by setting aside the order passed by the learned Single Judge, challenging



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which, the petitioner approached the Hon'ble Supreme Court in SLP (C) No.7427 of 2021, which was dismissed by order dated 04.12.2024. Thus, when it is affirmed up to the level of the Hon'ble Apex Court that the petitioner's qualification in Diploma in Production Engineering cannot be treated on a par with other Diploma courses like Mechanical Engineering for appointment to the post of Junior Training Officer, the petitioner has once again approached this Court by way of filing this writ petition, which is not sustainable. Accordingly, he prayed for dismissal of this writ petition.

6. Per contra, the learned counsel for the petitioner submitted that, the earlier writ petition filed by the petitioner along with two others in W.P.No.32125 of 2018 is not for a similar relief and the same was filed seeking a direction to the 2nd respondent therein to consider the petitioners therein, who possess Diploma in Production Engineering as qualified for the post of Junior Training Officers in terms of G.O.Ms.No.465, Public Works (B-2) Department dated 21.03.1991, which holds that the Diploma in Production Engineering awarded by the State Board of Technical Education of Tamil Nadu can be recognized as an equivalent qualification for



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employment purpose wherever Diploma in Mechanical Engineering is prescribed as a required qualification and also for a consequential direction to the 2nd respondent to appoint the petitioners therein to the post of Junior Training Officers in Government Industrial Training Institutes in Tamil Nadu, pursuant to Notification dated 12.01.2016. Learned counsel further submitted that, it is not in dispute that, though the petitioner's claim was allowed by this Court, *vide* order dated 07.01.2019 in W.P.No.32125 of 2018, the same was subsequently rejected by the Hon'ble Division Bench of this Court, which was also confirmed by the Apex Court. However, the petitioner has now approached this Court, seeking quashment of the rejection order passed by the 2nd respondent in a hurried manner and to consequently consider the petitioner's claim for appointment to the post of Junior Training Officer in the available vacancies, by taking note of the qualification of Diploma in Production Engineering on a par with persons already appointed with similar qualification, only based on the subsequent developments in respect of vacancies to the post of Junior Training Officers and hence, the same cannot be attacked on the ground of *res judicata*.

7. Concededly, W.P.No.32125 of 2018 filed by the petitioner along



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with certain others, was initially allowed, however, the said decision was subsequently set aside by the Division Bench of this Court, which was also confirmed by the Supreme Court. Yet, the stand taken by the learned counsel for the petitioner is that the relief sought in W.P.No.32125 of 2018 is not akin to the relief sought in the present writ petition and hence, it cannot be held that the instant writ petition is hit by *res judicata*. The basis on which the petitioner takes this stance is that the prayer in W.P.No.32125 of 2018 which was filed by him along with certain others, was for a writ of mandamus, whereas, the relief sought in this writ petition is a writ of certiorarified mandamus. This argument does not cut ice with this Court for the simple reason that though the nature of the relief sought in W.P.No.32125 of 2018 and the instant writ petition is different technically, in effect, both in W.P.No.32125 of 2018 and in the instant writ petition, the petitioner's main plank of contention is that his qualification of Diploma in Production Engineering is equivalent to Diploma in Mechanical Engineering as per G.O.Ms.No.465 (*supra*), and hence, he is eligible to be appointed as Junior Training Officer.

8. But, in the earlier round of writ petition, when the case of the



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petitioner has been rejected by the Division Bench of this Court by a reasoned order, followed by the Supreme Court, the instant writ petition, albeit with a prayer with a technical difference, cannot be entertained. It is because, it cannot be denied that even in the earlier round of writ petition and in the instant writ petition as well, the gist of the relief sought by the petitioner is that he should be appointed as Junior Training Officer by virtue of he possessing a Diploma in Production Engineering qualification which would be on a par with Diploma in Mechanical Engineering and the like. The gist of the prayer sought in the earlier round of writ petition and the instant writ petition being the same, the stand of the petitioner that the instant writ petition is not hit by *res judicata* owing to the change in the nature of prayer, has to fall to ground and this only reminds this Court of the phrase “old wine in new bottle”.

9. In view of the above discussion, this Court is not inclined to interfere with the order of the 2nd respondent dated 29.04.2025, which is impugned in this writ petition.



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10. Resultantly, this writ petition stands dismissed. There shall be no order as to costs.

26.09.2025

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Index : Yes/No
Speaking order : Yes/No
NCC : Yes/No

To:

1. The Secretary,
State of Tamil Nadu,
Labour Welfare and Skill Development Department,
Secretariat, Fort St. George, Chennai – 600 009.
2. The Additional Director,
Directorate of Employment and Training,
Guindy, Chennai – 600 032.
3. The Joint Director (Craftsman Training),
Directorate of Employment and Training,
Guindy, Chennai – 600 032.
4. The Joint Director (Employment Wing),
Directorate of Employment and Training,
Guindy, Chennai – 600 032.



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