

(2014) 06 MAD CK 0289

In the Madras High Court

Case No : W.P. No. 3849 of 2014 and M.P. Nos. 1 & 2 of 2014

Selvakumar

APPELLANT

Vs

Teachers Recruitment Board

RESPONDENT

Date of Decision : 06-06-2014

Acts Referred:

Citation : (2014) 06 MAD CK 0289

Hon'ble Judges : S. Nagamuthu, J

Bench : Single Bench

Judgement

S. Nagamuthu, J.—The petitioner has come up with this writ petition seeking a mandamus to direct the respondent to award weightage marks for the degree of Doctor of Philosophy of the petitioner and to permit him to participate in the selection process of the respondent in advertisement No. 04/2013 dated 28.05.2013 for the post of Assistant Professors in Government Arts and Science College 2012.

2. The respondent / Teachers Recruitment Board issued an Advertisement No. 04/2013 dated 28.05.2013 calling for applications for direct recruitment of Assistant Professors in Tamil Nadu Collegiate Educational Service for Government Arts and Science Colleges-2012. As many as 20 vacancies in Statistics subject were notified. The educational qualifications are dealt in Clause 4 (a) & (b) of the Advertisement.

3. The petitioner has obtained Bachelor of Science in Computer Science at Manonmaniam Sundaranar University in the year 2003. Thereafter, he has obtained Master of Science in Statistics (with Computer Application) in the same University in the year 2006 and he has got M.Phil in Statistics in the year 2008 and P.hd degree in Statistics in the year 2012 in the same University. The petitioner's application was entertained by the respondent for the said post and he was allowed to participate in the written examination. He secured the cut off marks and so, he was called for certificate verification. But, ultimately, when the results were published, the petitioner was rejected on the ground that he is not

qualified for the post of PG Assistant in Statistics subject. According to the respondent, the qualification as required under advertisement is Post Graduate degree in relevant subject i.e., Statistics; whereas, the petitioner has got Post Graduate degree in Statistics with Computer Applications. The petitioner has also got P.hd degree. For that, according to him, he is entitled for 6 marks in addition. With this grievance, the petitioner has come up with this writ petition.

4. This writ petition has come up today for admission. I have heard the learned counsel for the petitioner and the learned Additional Government Pleader appearing for the respondent and I have also perused the records carefully.

5. The learned counsel for the petitioner would submit that in a batch of writ petitions in W.P.Nos. 2979 to 2981 of 2014 by order dated 13.03.2014 this Court has issued the following directions:-

8. In the result, the writ petitions are disposed of in the following terms:-

(1) the 1st respondent shall make a request within a period of one week from the date of receipt of a copy of this order to the Chairman, Tamil Nadu Public Service Commission to examine the issue as to whether the Post Graduate degree awarded in Statistics with Computer Applications by Bharathiyar University, Coimbatore, or Periyar University, Salem, or Manonmaniam Sundaranar University, Tirunelveli, are equivalent to Post Graduate degree in Statistics for the purpose of appointment as Post Graduate Assistant in the subject Statistics.

(2) On receipt of such request from the 1st respondent, the Chairman, Tamil Nadu Public Service Commission, Chennai, shall convene a meeting of the committee in terms of G.O.Ms.No. 441, Personnel & Administrative Reforms (R) Department, dated 20.12.93 within a period of four weeks and submit a report to the Government forthwith.

(3) Based on the recommendation to be made by the Committee headed by the Chairman, Tamil Nadu Public Service Commission, Chennai, the Government shall pass appropriate orders within a further period of four weeks.

(4) It is further directed that subject to the out come of the order being passed by the Government, the 1st respondent shall act thereafter. Until such order is issued by the Government, the interim order of stay granted earlier by this court on 05.02.2014 thereby staying all further proceedings in respect of the Post Graduate Assistants (Statistics) alone shall continue.

6. According to the learned counsel for the petitioner, the petitioner herein also stands in the same footing and hence, the petitioner herein may also be issued the same relief.

7. Having regard to the above prayer made by the learned counsel for the petitioner and having regard to the order passed by this Court in a batch of writ petitions in W.P.Nos. 2979 to 2981 of 2014 dated 13.03.2014, I am inclined to

dispose of the writ petition with the following directions.

8. In the result, the writ petition is disposed of in the following terms:-

(1) the respondent shall make a request within a period of one week from the date of receipt of a copy of this order to the Chairman, Tamil Nadu Public Service Commission to examine the issue as to whether the Post Graduate degree awarded in Statistics with Computer Applications by Manonmaniam Sundaranar University, Tirunelveli, are equivalent to Post Graduate degree in Statistics for the purpose of appointment as Post Graduate Assistant in the subject Statistics, if not already done.

(2) On receipt of such request from the respondent, the Chairman, Tamil Nadu Public Service Commission, Chennai, shall convene a meeting of the committee in terms of G.O.Ms.No. 441, Personnel & Administrative Reforms (R) Department, dated 20.12.93 within a period of four weeks and submit a report to the Government forthwith, if not already done.

(3) Based on the recommendation to be made by the Committee headed by the Chairman, Tamil Nadu Public Service Commission, Chennai, the Government shall pass appropriate orders within a further period of four weeks, if not already passed.

(4) It is further directed that subject to the out come of the order being passed by the Government, the respondent shall act thereafter. Until such order is issued by the Government, there shall be an order of interim stay thereby staying all further proceedings in respect of the Post Graduate Assistants (Statistics) alone. No costs. Consequently, connected miscellaneous petitions are closed.