

WP(MD)No.7697 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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RESERVED ON 10.09.2025	PRONOUNCED ON 24.11.2025
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CORAM:

THE HONOURABLE **MR.JUSTICE K.KUMARESH BABU**

W.P.(MD)No.7697 of 2024 &
W.M.P.Nos.7043 & 7045 of 2024

S.Sowndarya

... Petitioner

/vs./

1.The Secretary,
Tamil Nadu Public Service Commission,
TNPSC Road, Park Town,
Chennai – 600 003.

2.The Controller of Examination,
Tamil Nadu Public Service Commission,
TNPSC Road, Park Town,
Chennai – 600 003.

3.The Secretary,
Higher Education Department,
Secretariat, Chennai.

4.The Director,
Forensic Sciences Department,
30-A, Kamarajar Salai,
Mylapore, Chennai – 600 004.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for

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issuance of Writ of Certiorarified Mandamus, to call for the records of the impugned provisional list annexure to the Oral Test issued by the second respondent dated 10.02.2024 and quash the same in so far as the petitioner's register No.3101001078 is concerned and consequently direct the respondents 1 & 2 to conduct Oral Test to the petitioner after obtaining Equivalence Certificate from the third respondent and appoint the petitioner as Junior Scientific Officer in the 4th respondent Department with due process of law within a time frame that may be stipulated by this Court.

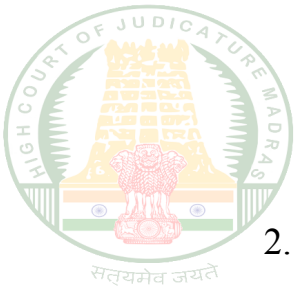
For Petitioner : Mr.Isaac Mohanlal Senior counsel
for Mr.R.R.Kannan

For Respondents : Mr.V.Panneer Selvam

ORDER

This Writ Petition had been filed to quash the impugned provisional list annexure to the Oral Test issued by the second respondent dated 10.02.2024 in so far as the petitioner's register No.3101001078 is concerned and consequently direct the respondents 1 & 2 to conduct Oral Test to the petitioner after obtaining Equivalence Certificate from the third respondent and appoint the petitioner as Junior Scientific Officer in the 4th respondent Department with due process of law within a time frame that may be stipulated.

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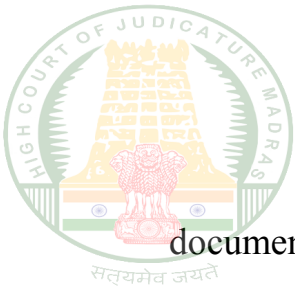


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2. Heard Mr.Isaac Mohanlal learned Senior counsel appearing for Mr.R.R.Kannan learned counsel on behalf of the petitioner, Mr.V.Panneer Selvam, learned counsel appearing for the respondents.

3. The learned Senior counsel appearing for the petitioner would submit that the first respondent herein had issued a notification for direct recruitment for the appointment of Junior Scientific Officer in Tamil Nadu Forensic Sciences Subordinate Services, the fourth respondent Department. As per the notification, the education qualification to the said post has been prescribed as M.Sc., (Forensic Science) and an Under Graduate degree either in Biology, Physics and Chemistry. The petitioner had completed B.Sc., (Bio-Technology, Chemistry, Forensic Science) at Raja Bahadur Venkata Rama Reddy Women's College, Hyderabad which is equivalent to B.Sc., (Bio-Technology) conducted in the State of Tamil Nadu. The petitioner also has a M.Sc., degree (Forensic Science) which is mandatory qualification for appointment to the post of Junior Scientific Officer in the fourth respondent Department. The petitioner had participated in the recruitment process and had received a communication dated 28.11.2023 seeking to upload the scanned copy of the equivalence G.O., for U.G.degree, the original P.G certificate and U.G. Certificate. The petitioner had also uploaded the relevant

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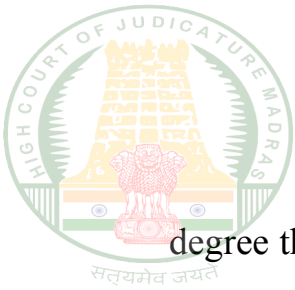


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documents in the portal. She had also submitted a memorandum to the third respondent seeking for Equivalence Certificate for B.Sc., (Bio-Technology, Chemistry, Forensic Science) degree obtained by the petitioner in a private college at Hyderabad, as equivalent to B.Sc., (Bio-Technology). As the Equivalence Committee has not been formed to furnish the Equivalence Certificate, the petitioner cannot be expected to expedite the process and issue the certificate on time.

4. The learned Senior counsel would submit that a provisional list had been published on 10.02.2024 and for the oral test, the petitioner's name did not find place. Even though the petitioner was fully qualified, the petitioner was not permitted to participate in the oral test. He would vehemently contend that the petitioner has got a legitimate expectation for being appointed to the post of Junior Scientific Officer in the fourth respondent Department and that the same had been jeopardized. The petitioner having the basic degree of M.Sc (Forensic Science), which is the prescribed qualification, cannot be thrown out in the midway of the recruitment process. The learned Senior counsel would further submit that by G.O.Ms.No.3, Higher Education Department, dated 08.01.2025 an equivalence certificate had been issued by the third respondent in respect of the

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degree that had been granted to the petitioner as equivalent to B.Sc Chemistry for the purpose of the employment in public services. Therefore, the learned Senior counsel seeks indulgence of this Court in the impugned provisional list and direct the respondents 1 & 2 to conduct the oral test after obtaining necessary equivalent certificate from the third respondent and also appoint the petitioner as Junior Scientific Officer.

5. Countering his arguments, the learned Standing counsel appearing for the respondents would contend that the basic educational qualification is M.Sc., Forensic Science degree and an U.G., degree in the subject for the group as shown in the explanation under the notification. As per the same, various groups have been shown and the petitioner does not have a degree in any of the subjects as indicated in the explanation. Therefore, the petitioner do not possess an U.G.degree as prescribed under the notification. The equivalence certificate made under various Government Orders, have also been annexed to the notification and there is no equivalence of the U.G., certificate that has been declared to be equivalent in respect of the petitioner's degree. The petitioner has also not uploaded the relevant equivalent Government Order for the U.G., degree possessed by her. He would further submit that out of 31 vacancies notified, 29

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vacancies have been filled up on 01.03.2025 and action has been taken to fill up the balance 2 vacancies from the eligible candidates. As there has been instructions given in the notification, the petitioner is not entitled to be given the relief as prayed for. He would further submit that the Government Order now relied upon by the learned Senior counsel for the petitioner had been issued only on 08.01.2025, which had been issued much after the notification and the selection process is over and therefore, such equivalence declared can only be used for subsequent notification, but cannot be made applicable to the recruitment process in which the petitioner had participated. Hence, he prayed this Court to dismiss the Writ Petition.

6. I have heard the learned counsel appearing on either side and perused the materials placed on record.

7. The issue that is to be decided in the writ Petition, is as to whether the U.G., degree that the petitioner had acquired, would be equivalent to the degrees that had been specified in the notification.

8. It is not in dispute that the petitioner had acquired the M.Sc., degree in Forensic Science. The petitioner had been conferred with the U.G.degree,

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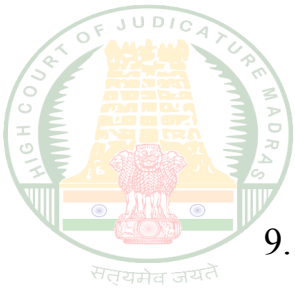
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Bachelor of Science in Bio-Technology, Chemistry, Forensic Science. The

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notification prescribes the basic qualification of M.Sc., Forensic Science and degree in subjects for the group as shown in the explanation. Note. 2 to the educational qualification would also indicate that the candidates who claim equivalence of qualification to the prescribed qualification, should submit the evidence for equivalence of qualification in the form of Government Order issued on or before the date of the notification, failing which the said application would be summarily rejected. It also specifically envisages that the Government Order issued declaring equivalence of prescribed qualification after the date of the notification, would not be accepted. Even though the petitioner had been permitted to cross the stage 1, she has not been permitted to attend the stage 2, oral test, as she had not produced any Government Order of equivalence of qualification and she has also not uploaded such equivalent Government Orders. However, a reliance is sought to be made on a Government order, which was issued on 08.01.2025, which is admittedly beyond the date of notification, hence, by application of instruction to candidates namely, Note: 2 to the educational qualification, the petitioner's candidature cannot be considered for any consideration as claimed by the petitioner would violate the instructions given in the notification.

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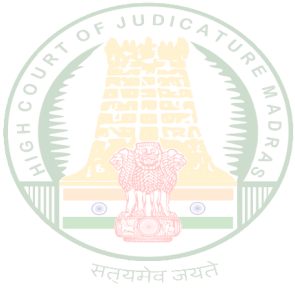
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9. As rightly contested by the learned counsel appearing for the respondents that the instructions given by the Commission have to be strictly complied with and this Court in exercise of power under Article 226 of the Constitution cannot modify or relax the instruction. Therefore, the reliance placed upon the subsequent Government Order cannot advance the case of the petitioner.

10. For the aforesaid reasons, the Writ Petition stands dismissed. However, there shall be no order as to costs. Consequently, connected Miscellaneous Petitions are closed.

24.11.2025

Index : Yes / No
Internet : Yes / No
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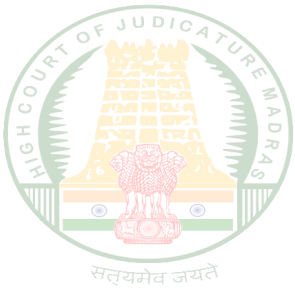
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K.KUMARESH BABU, J.

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