

IN THE HIGH COURT OF JUDICIATURE AT MADRAS

DATE: 3.2.2016

CORAM:

THE HON'BLE MR.JUSTICE R.SUDHAKAR
AND
THE HON'BLE MR.JUSTICE S.VAIDYANATHAN

W.P.Nos.34713, 32866 to 32868, 33469 to 33472, 33704, 34551, 34552, 34810 to 34812, 34922, 34923, 34935 to 34938, 35344 to 35346 of 2012, 27224 and 27225 of 2013, 689, 1395, 1848, 2615 to 2618, 1662, 1663, 1631 to 1650, 1877, 1846, 1847, 1917, 2192 and 2193, 2346, 2356 and 2357, 2358, 2370, 2373, 2440, 2573 of 2014, 36071, 24238, 35022 to 35024 and 36189 of 2015

AND

M.P.Nos.1 (23 Nos.) and 2 (23 Nos.) of 2012,
M.P.Nos.1 of 2013 (2 Nos.) and 3 of 2013 (2 Nos.),
M.P.Nos.1 (43 Nos.) and 2 (34 Nos.) of 2014,
M.P.Nos.1 (6 Nos.) and 2 of 2015

1. A.ALAGESAN
2. S.PARTHASARATHY
3. D.JAYARAMAN
4. V.KALAIMANAI
5. M.THARANI MOHAN
6. M.VENKATESAN
7. S.SUBRAMANIAN
8. R.SRINIVASAN

...PETITIONERS in WP.34713/12

V.KAMALAKANNAN ...PETITIONER in WP.32866/12

M.PRAVEENA ...PETITIONER in WP.32867/12

V.BALASUBRAMANIAN ...PETITIONER in WP.32868/12

G.VIJAYAKUMAR ...PETITIONER in WP.33469/12

G.R.VENKATESAN ...PETITIONER in WP.33470/12

M.GUHANVASAN ...PETITIONER in WP.33471/12

C.SUMATHI ...PETITIONER in WP.33472/12

R.SEETHALAKSHMI ...PETITIONER in WP.33704/12
N.ARTHI ...PETITIONER in WP.34551/12
T.PONNUERUSAN ...PETITIONER in WP.34552/12
S.BALAJI ...PETITIONER in WP.34810/12
R.GANESAN ...PETITIONER in WP.34811/12
S.RAJAGOPAL ...PETITIONER in WP.34812/12
R.PAARI ...PETITIONER in WP.34922/12
R.VARAGUNA PANDIAN ...PETITIONER in WP.34923/12
P.SIVAKUMAR ...PETITIONER in WP.34935/12
R.RAMALINGAM ...PETITIONER in WP.34936/12
C.KANIRAJA ...PETITIONER in WP.34937/12
K.MUTHUKRISHAN ...PETITIONER in WP.34938/12
D.ANURADHA ...PETITIONER in WP.35344/12
J.R.SWETHA ...PETITIONER in WP.35345/12
K.VELAYUDHAM ...PETITIONER in WP.35346/12
C.SUMATHI ...PETITIONER in WP.27224/13
S.B.SENTHILKUMAR ...PETITIONER in WP.27225/13
V.KAMALAKANNAN ...PETITIONER in WP.689/14
TMT.P.MADESHWARI JAYANTHI ...PETITIONER in WP.1395/14

1. S.B.MANIKANDAN
2. V.PONNAMBALAM
3. S.MANIKANDAN
4. N.S.KANNAN
5. P.RAMASUBBU
6. T.J.SRINIVASAN
7. K.SIVARAMAN
8. S.KUMARA PILLAI
9. T.RAMESH
10. N.DURAIRAJ
11. P.MOHANASUNDARAMURTHY
12. S.PRAKASH
13. S.PARVATHI

14.M.PRABHAKARAN
15.K.KRISHNAKUMAR
16.B.K.SENTHILKUMAR
17.K.MURUGAN
18.G.R.VENKATESAN
19.K.GOBU
20.DR.T.C.BALAMURUGAN
21.S.VENKATESAN
22.A.ELUMALAI ...PETITIONERS in WP.1848/14

G.SUMATHI ...PETITIONER in WP.2615/14

S.SURESH ...PETITIONER in WP.2616/14

E.VASANTHAN ...PETITIONER in WP.2617/14

M.B.KARTHIK ...PETITIONER in WP.2618/14

S.M.MEERA MOHIDEEN ...PETITIONER in WP.1662/14

RAJARAMAN SENTHIL MALAR ...PETITIONER in WP.1663/14

T.PONNUERASAN ...PETITIONER in WP.1631/14

T.VELMURUGAN ...PETITIONER in WP.1632/14

M.VENKATESAN ...PETITIONER in WP.1633/14

P.SUBRAMANIAN ...PETITIONER in WP.1634/14

K.ASAITHAMBI ...PETITIONER in WP.1635/14

V.KALAIMANI ...PETITIONER in WP.1636/14

K.HARIKUMAR ...PETITIONER in WP.1637/14

K.VELMURUGAN ...PETITIONER in WP.1638/14

P.A.JEYARANI ...PETITIONER in WP.1639/14

K.VELAYUDHAM ...PETITIONER in WP.1640/14

B.UMADEVI ...PETITIONER in WP.1641/14

D.RICHARD NISHAL ...PETITIONER in WP.1642/14

P.MANIMEGALAI ...PETITIONER in WP.1643/14

D. JAYARAMAN ...PETITIONER in WP.1644/14

M.BALCHAMY ...PETITIONER in WP.1645/14

A.HILDA EDWIN RUFFINA ...PETITIONER in WP.1646/14
M.PRAVEENA ...PETITIONER in WP.1647/14
T.RAMAKRISHNAN ...PETITIONER in WP.1648/14
S.BALAJI ...PETITIONER in WP.1649/14
D.RAVEENDRAN GNANARAJ ...PETITIONER in WP.1650/14
S.GOPIDOSS ...PETITIONER in WP.1877/14

1. S.B.SENTHILKUMAR
2. C. SUMATHI
3. G. YOGAVISHNU
4. R.N.SHANTHI
5. G. VIJAYAKUMAR
6. M.GUHAN VASAN
7. A.ALAGESAN
8. R.GANESAN
9. R.SEETHA LAKSHMI
10.D.KANCHANA
11.M.SARAVANAN
12.V.SHANMUGAM
13.B.RAMAKRISHNAN
14.VENKATESHKUMAR
15.P.SRINIVASAN
16.S.SENTHILRAJA
17.M.MAHENDRA KRISHNAN
18.S.RAJAGOPAL
19.GNANA ARUL RAJAMANI
20.S.SUBRAMANIAN
21.M.SUMATHI ...PETITIONERS in WP.1846/14

1. M.BHARATHI
2. B.GOKULRAJA
3. S.ARULMALARAN
4. G.ANNALAKSHMI
5. S.JAWAHAR
6. R.DHANAPANDI
7. K.SELVARAJA
8. K.ANBAZHAGAN
9. V.PUGAZHENDHI
10.D.NAGARAJAN
11.DR.G.GANAPATHY
12.U.SINGARAVELU ...PETITIONERS in WP.1847/14

P.SIVAKUMAR ...PETITIONER in WP.1917/14

M.BALARAMAN ...PETITIONER in WP.2192/14

M.PUNITHA ...PETITIONER in WP.2193/14

T.MURUGESAN ...PETITIONER in WP.2346/14

J.SANKARANARAYANAN ...PETITIONER in WP.2356/14

M.RAJINIKHANTH ...PETITIONER in WP.2357/14

1. G.ELAVENIL

2. G.KAYALVIZHI

3. A.AMUTHARANI

4. S.MEENAKUMARI

5. R.PAARI

6. R.VARAGUNAPANDIAN ...PETITIONERS in WP.2358/14

N.NAVAKUMAR ...PETITIONER in WP.2370/14

VEERAPILLAI RAMESH ...PETITIONER in WP.2373/14

K.SENTHIL NATHAN ...PETITIONER in WP.2440/14

R.MAGESWARI ...PETITIONER in WP.2573/14

R. MAHALINGAM ...PETITIONER in WP.36071/15

1. I.KARTHIKEYAN

2. C.SUMATHI

3. S.B.SENTHILKUMAR

4. T.KALYANI

5. L.THANUJA DIANA

6. M.SENTHIL KUMAR

7. S.SENTHIL

8. M.DEEPAK PIUS BAKKIARAJ

9. K.HEMANATHAN

10.V.PONNAMBALAM

11.T.RAMESH

12.V.G.VIJAYASENTHIL

13.S.MANIKANDAN

14.G.KALAIVANI

15.K.REKHA

16.D.RANGANATHAN VENKATRAMAN

17.V.KAMALAKANNAN

18.K.NEELAKANDAN

19.K.VANITHA

20.G.ANNALAKSHMI

21.B.GOKULARAJA

22.S.JAWAHAR

23.D.KANNAN

24.K.M.SAKTHIVEL

25.R.N.SHANTHI

26.S.SATHIYA BAMA

27.M.RAMACHANDRAN
28.P.MURUGAN
29.P.VEERASEKHARAN
30.I.LATHA
31.M.SIVA KUMAR
32.S.SELVARAJ
33.K.SELVARAJA
34.R.VINAYAGAMURTHI
35.G.PALANIYAPPAN
36.J.DINESH
37.V.C.SARADA DEVI
38.P.VARATHARAJ
39.P.SIVAKUMAR
40.M.PARIMALA DEVI
41.M.MUTHUKUMAR
42.G.SATHISH KUMAR
43.T.J.SRINIVASAN
44.M.GAYATHRI
45.R.ATHILAKSHMI
46.A.KARTHIKEYAN
47.K.DHAYALAN
48.K.SIVA RAMAN
49.S.PALANI MURUGAN
50.M.BALARAMAN
51.B.V.NANDAGOPAL
52.T.YOGAMANI
53.P.KUMAR
54.A.ELANGO
55.R.VARAGUNA PANDIAN
56.M.SURESH KUMAR
57.G.YOGAVISHNU
58.K.VANITHA
59.K.SASIKALA
60.R.SUDHAKAR
61.R.SELVA PERUMAL
62.M.LEELA
63.M.SHENBAGAVALLI
64.S.KARUPPAIYA
65.T.NAGARAJAN
66.S.KUMARA PILLAI
67.K.R.NARAYANAN
68.D.SRIDHAR
69.G.VIJAYAKUMAR
70.K.LENIN RAJ
71.L.R.KRISHNA MOORTHY
72.K.RAMACHANDRAN
73.V.ANANDHARAMAN
74.A.KAMALAKANNAN
75.K.MURUGAN
76.T.ANANTH
77.S.SAKTHIVEL
78.N.DURAIRAJ

79.P.MOHANA SUNDARAMURTHY
80.C.PALANIKUMAR
81.A.GOPALAKRISHNAN
82.D.B.PREMAVATHI
83.M.SHANKAR
84.P.REKHA
85.R.PONMUDI
86.T.SUDHAKAR
87.G.ELAVENIL
88.R.SUGENDRAN
89.S.SURESH KUMAR
90.K.MURUGESA PANDIAN
91.M.SARAVANAN
92.M.MUTHUSAMY
93.M.ARUMUGAM
94.K.THENNARASU
95.S.SUBRAMANIAN
96.J.GNANA ARUL RAJAMANI
97.A.JEEVAN
98.S.K.RAJA
99.C.B.KABILAN
100.G.THAMARAI PRABHUDOSS
101.C.PUGAZHENDHI
102.K.SASIKUMAR
103.C.ANNALAKSHMI
104.S.SENATHIRAJA
105.P.SRINIVASAN
106.S.K.MANICKAVASAGAM
107.C.KRISHNAN
108.G.UMA
109.S.VENKATESAN
110.G.SANKAR
111.M.SUMATHI
112.S.MUNUSAMY
113.R.RAJESWARAN
114.J.A.RAJNADHINI
115.K.ASAITHAMBI
116.D.RADHAKRISHNAN
117.S.PRAKASH

C.SUMATHI

S.B.SENTHIL KUMAR

T.KALYANI

M.PRABHAKARAN

...PETITIONERS in WP.24238/15

...PETITIONER in WP.35022/15

...PETITIONER in WP.35023/15

...PETITIONER in WP.35024/15

...PETITIONER in WP.36189/15

Vs.

1. The State of Tamil Nadu
rep. by its Secretary
Personnel and Administrative Reforms Dept.
Secretariat, Chennai - 600 009.

2. The Secretary
Tamil Nadu Public Service Commission
Frazer Bridge Road, V.O.C. Nagar
Park Town, Chennai - 600 003. ...Respondents in all WPs
and batch cases

W.P No.34713 of 2012

Petition has been filed under Article 226 of Constituion of India to issue a Writ of declaration, declaring the amendment to the general rules in part II of the Tamilnadu State and Subordinate Service Rules (Vol.I of the Tamilnadu Services Manual 1987) vide Rule 54(B) vide G.O.Ms.No.114 dated 11.8.2010 as not applicable to the petitioner herein and consequently declare class 4A of the consequential notification of the 2nd respondent in Notification No.49 of 2012 dated 16.11.2012 as null and void so far as the petitioner concerned and conseuently direct the respondents to implement G.O.Ms.No.98, Personnel and Administrative Reforms Department, dated 17.7.2006 by increasing the upper age limit of OC candidates from 30 to 35 years and increasing the upper age limit for other candidates from 35 to 40 years.

WP No.32866 of 2012

Petition has been filed under Article 226 of Constituion of India to issue a Writ of declaration, declaring the amendment to the general rules in part II of the Tamilnadu state and Subordinate service Rules (Vol. 1 of the Tamil Nadu Services Manual 1987) vide Rule 54(B) vide G.O.Ms.No.114 dated 11.8.2010 as not applicable to the petitioner herein and consequently direct the respondents to implement G.O.Ms.No.98, Personnel and Administrative Reforms Department, dated 17.7.2006 by increasing the upper age limit of OC candidates from 30 to 35 years and increasing the upper age limit for other candidates from 35 to 40 years.

WP No.32867 of 2012

Petition has been filed under Article 226 of Constituion of India to issue a Writ of declaration, declaring the amendment to the general rules in part II of the Tamilnadu state and Subordinate service Rules (Vol. 1 of the Tamil Nadu Services Manual 1987) vide Rule 54(B) vide G.O.Ms.No.114 dated 11.8.2010 as not applicable to the petitioner herein and consequently direct the respondents to implement G.O.Ms.No.98, Personnel and Administrative Reforms Department, dated 17.7.2006 by increasing the upper age limit of OC candidates from 30 to 35 years and increasing the upper age limit for other candidates from 35 to 40 years.

WP No.32868 of 2012

Petition has been filed under Article 226 of Constitution of India to issue a Writ of declaration, declaring the amendment to the general rules in part II of the Tamilnadu state and Subordinate service Rules (Vol. 1 of the Tamil Nadu Services Manual 1987) vide Rule 54(B) vide G.O.Ms.No.114 dated 11.8.2010 as not applicable to the petitioner herein and consequently direct the respondents to implement G.O.Ms.No.98, Personnel and Administrative Reforms Department, dated 17.7.2006 by increasing the upper age limit of OC candidates from 30 to 35 years and increasing the upper age limit for other candidates from 35 to 40 years.

WP No.33469 of 2012

Petition has been filed under Article 226 of Constitution of India to issue a Writ of declaration, declaring the amendment to the general rules in part II of the Tamilnadu state and Subordinate service Rules (Vol. 1 of the Tamil Nadu Services Manual 1987) vide Rule 54(B) vide G.O.Ms.No.114 dated 11.8.2010 as not applicable to the petitioner herein and consequently declare Class 4 A of the Consequential notification of the 2nd respondent in Notification No.49 of 2012 dated 16.11.2012 as null and void so far as the petitioner concerned and consequently direct the respondents to implement G.O.Ms.No.98, Personnel and Administrative Reforms Department, dated 17.7.2006 by increasing the upper age limit of OC candidates from 30 to 35 years and increasing the upper age limit for other candidates from 35 to 40 years.

WP No.33470 of 2012

Petition has been filed under Article 226 of Constitution of India to issue a Writ of declaration, declaring the amendment to the general rules in part II of the Tamilnadu state and Subordinate service Rules (Vol. 1 of the Tamil Nadu Services Manual 1987) vide Rule 54(B) vide G.O.Ms.No.114 dated 11.8.2010 as not applicable to the petitioner herein and consequently declare Class 4 A of the Consequential notification of the 2nd respondent in Notification No.49 of 2012 dated 16.11.2012 as null and void so far as the petitioner concerned and consequently direct the respondents to implement G.O.Ms. No.98, Personnel and Administrative Reforms Department, dated 17.7.2006 by increasing the upper age limit of OC candidates from 30 to 35 years and increasing the upper age limit for other candidates from 35 to 40 years.

WP No.33471 of 2012

Petition has been filed under Article 226 of Constitution of India to issue a Writ of declaration, declaring the amendment to the general rules in part II of the Tamilnadu state and Subordinate service Rules (Vol. 1 of the Tamil Nadu Services Manual 1987) vide Rule 54(B) vide G.O.Ms.No.114 dated 11.8.2010 as not applicable to the petitioner herein and

consequently declare Class 4 A of the Consequential notification of the 2nd respondent in Notification No.49 of 2012 dated 16.11.2012 as null and void so far as the petitioner concerned and consequently direct the respondents to implement G.O.Ms.No.98, Personnel and Administrative Reforms Department, dated 17.7.2006 by increasing the upper age limit of OC candidates from 30 to 35 years and increasing the upper age limit for other candidates from 35 to 40 years.

WP No.33472 of 2012

Petition has been filed under Article 226 of Constitution of India to issue a Writ of declaration, declaring the amendment to the general rules in part II of the Tamilnadu state and Subordinate service Rules (Vol. 1 of the Tamil Nadu Services Manual 1987) vide Rule 54(B) vide G.O.Ms.No.114 dated 11.8.2010 as not applicable to the petitioner herein and consequently declare Class 4 A of the Consequential notification of the 2nd respondent in Notification No.49 of 2012 dated 16.11.2012 as null and void so far as the petitioner concerned and consequently direct the respondents to implement G.O.Ms.No.98, Personnel and Administrative Reforms Department, dated 17.7.2006 by increasing the upper age limit of OC candidates from 30 to 35 years and increasing the upper age limit for other candidates from 35 to 40 years.

WP No.33704 of 2012

Petition has been filed under Article 226 of Constitution of India to issue a Writ of declaration, declaring the amendment to the general rules in part II of the Tamilnadu State and Subordinate Service Rules (Vol.I of the Tamilnadu Services Manual 1987) vide Rule 54 (B) vide G.O.Ms.No.114 dt 11.8.2010 as not applicable to the petitioner herein and consequently declare Class 4A of the consequential notification of the 2nd respondent in Notification No.49 of 2012, dt 16.11.2012 as null and void so far as the petitioner concerned and consequently direct the respondents to implement G.O.Ms.No.98, Personnel and Administrative Reforms Department, dt 17.7.2006 by increasing the upper age limit of OC candidates from 30 to 35 years and increasing the upper age limit for other candidates from 35 to 40 years.

WP No.34551 of 2012

Petition has been filed under Article 226 of Constitution of India to issue a Writ of declaration, declaring the amendment to the general rules in part II of the Tamilnadu State and Subordinate service Rules (Vol. 1 of the Tamil Nadu Services Manual 1987) vide Rule 54(B) vide G.O.Ms.No.114 dated 11.8.2010 as not applicable to the petitioner herein and consequently declare Class 4 A of the Consequential notification of the 2nd respondent in Notification No.49 of 2012 dated 16.11.2012 as null and void so far as the petitioner concerned and consequently direct the respondents

to implement G.O.Ms. No.98, Personnel and Administrative Reforms Department, dated 17.7.2006 by increasing the upper age limit of OC candidates from 30 to 35 years and increasing the upper age limit for other candidates from 35 to 40 years

WP No.34552 of 2012

Petition has been filed under Article 226 of Constituion of India to issue a Writ of declaration, declaring the amendment to the general rules in part II of the Tamilnadu State and Subordinate service Rules (Vol. 1 of the Tamil Nadu Services Manual 1987) vide Rule 54(B) vide G.O.Ms.No.114 dated 11.8.2010 as not applicable to the petitioner herein and consequently declare Class 4 A of the Consequential notification of the 2nd respondent in Notification No.49 of 2012 dated 16.11.2012 as null and void so far as the petitioner concerned and consequently direct the respondents to implement G.O.Ms. No.98, Personnel and Administrative Reforms Department, dated 17.7.2006 by increasing the upper age limit of OC candidates from 30 to 35 years and increasing the upper age limit for other candidates from 35 to 40 years.

WP No.34810 of 2012

Petition has been filed under Article 226 of Constituion of India to issue a Writ of declaration, declaring the amendment to the general rules in part II of the Tamilnadu State and Subordinate Service Rules (Vol.I of the Tamilnadu Services Manual 1987) vide Rule 54(B) vide G.O.Ms.No.114 dated 11.8.2010 as not applicable to the petitioner herein and consequently declare class 4A of the consequential notification of the 2nd respondent in Notification No.49 of 2012 dated 16.11.2012 as null and void so far as the petitioner concerned and conseuently direct the respondents to implement G.O.Ms.No.98, Personnel and Administrative Reforms Department, dated 17.7.2006 by increasing the upper age limit of OC candidates from 30 to 35 years and increasing the upper age limit for other candidates from 35 to 40 years.

WP No.34811 of 2012

Petition has been filed under Article 226 of Constituion of India to issue a Writ of declaration, declaring the amendment to the general rules in part II of the Tamilnadu State and Subordinate Service Rules (Vol.I of the Tamilnadu Services Manual 1987) vide Rule 54(B) vide G.O.Ms.No.114 dated 11.8.2010 as not applicable to the petitioner herein and consequently declare class 4A of the consequential notification of the 2nd respondent in Notification No.49 of 2012 dated 16.11.2012 as null and void so far as the petitioner concerned and conseuently direct the respondents to implement G.O.Ms.No.98, Personnel and Administrative Reforms Department, dated 17.7.2006 by increasing the upper age limit of OC candidates from 30 to 35 years and increasing the upper age limit for other candidates from 35 to 40 years.

WP No.34812 of 2012

Petition has been filed under Article 226 of Constituion of India to issue a Writ of declaration, declaring the amendment to the general rules in part II of the Tamilnadu State and Subordinate Service Rules (Vol.I of the Tamilnadu Services Manual 1987) vide Rule 54(B) vide G.O.Ms.No.114 dated 11.8.2010 as not applicable to the petitioner herein and consequently declare class 4A of the consequential notification of the 2nd respondent in Notification No.49 of 2012 dated 16.11.2012 as null and void so far as the petitioner concerned and conseuently direct the respondents to implement G.O.Ms.No.98, Personnel and Administrative Reforms Department, dated 17.7.2006 by increasing the upper age limit of OC candidates from 30 to 35 years and increasing the upper age limit for other candidates from 35 to 40 years.

WP No.34922 of 2012

Petition has been filed under Article 226 of Constituion of India to issue a Writ of declaration, declaring the amendment to the general rules in part II of the Tamilnadu State and Subordinate Service Rules (Vol.I of the Tamilnadu Services Manual 1987) vide Rule 54(B) vide G.O.Ms.No.114 dated 11.8.2010 as not applicable to the petitioner herein and consequently declare class 4A of the consequential notification of the 2nd respondent in Notification No.49 of 2012 dated 16.11.2012 as null and void so far as the petitioner concerned and conseuently direct the respondents to implement G.O.Ms.No.98, Personnel and Administrative Reforms Department, dated 17.7.2006 by increasing the upper age limit of OC candidates from 30 to 35 years and increasing the upper age limit for other candidates from 35 to 40 years

WP No.34923 of 2012

Petition has been filed under Article 226 of Constituion of India to issue a Writ of declaration, declaring the amendment to the general rules in part II of the Tamilnadu State and Subordinate Service Rules (Vol.I of the Tamilnadu Services Manual 1987) vide Rule 54(B) vide G.O.Ms.No.114 dated 11.8.2010 as not applicable to the petitioner herein and consequently declare class 4A of the consequential notification of the 2nd respondent in Notification No.49 of 2012 dated 16.11.2012 as null and void so far as the petitioner concerned and conseuently direct the respondents to implement G.O.Ms.No.98, Personnel and Administrative Reforms Department, dated 17.7.2006 by increasing the upper age limit of OC candidates from 30 to 35 years and increasing the upper age limit for other candidates from 35 to 40 years

WP No.34935 of 2012

Petition has been filed under Article 226 of Constituion of India to issue a Writ of declaration, declaring the amendment to the general rules in part II of the Tamilnadu

State and Subordinate Service Rules (Vol.I of the Tamilnadu Services Manual 1987) vide Rule 54(B) vide G.O.Ms.No.114 dated 11.8.2010 as not applicable to the petitioner herein and consequently declare class 4A of the consequential notification of the 2nd respondent in Notification No.49 of 2012 dated 16.11.2012 as null and void so far as the petitioner concerned and consequently direct the respondents to implement G.O.Ms.No.98, Personnel and Administrative Reforms Department, dated 17.7.2006 by increasing the upper age limit of OC candidates from 30 to 35 years and increasing the upper age limit for other candidates from 35 to 40 years

WP No.34936 of 2012

Petition has been filed under Article 226 of Constitution of India to issue a Writ of declaration, declaring the amendment to the general rules in part II of the Tamilnadu State and Subordinate Service Rules (Vol.I of the Tamilnadu Services Manual 1987) vide Rule 54(B) vide G.O.Ms.No.114 dated 11.8.2010 as not applicable to the petitioner herein and consequently declare class 4A of the consequential notification of the 2nd respondent in Notification No.49 of 2012 dated 16.11.2012 as null and void so far as the petitioner concerned and consequently direct the respondents to implement G.O.Ms.No.98, Personnel and Administrative Reforms Department, dated 17.7.2006 by increasing the upper age limit of OC candidates from 30 to 35 years and increasing the upper age limit for other candidates from 35 to 40 years

WP No.34937 of 2012

Petition has been filed under Article 226 of Constitution of India to issue a Writ of declaration, declaring the amendment to the general rules in part II of the Tamilnadu State and Subordinate Service Rules (Vol.I of the Tamilnadu Services Manual 1987) vide Rule 54(B) vide G.O.Ms.No.114 dated 11.8.2010 as not applicable to the petitioner herein and consequently declare class 4A of the consequential notification of the 2nd respondent in Notification No.49 of 2012 dated 16.11.2012 as null and void so far as the petitioner concerned and consequently direct the respondents to implement G.O.Ms.No.98, Personnel and Administrative Reforms Department, dated 17.7.2006 by increasing the upper age limit of OC candidates from 30 to 35 years and increasing the upper age limit for other candidates from 35 to 40 years

WP No.34938 of 2012

Petition has been filed under Article 226 of Constitution of India to issue a Writ of declaration, declaring the amendment to the general rules in part II of the Tamilnadu State and Subordinate Service Rules (Vol.I of the Tamilnadu Services Manual 1987) vide Rule 54(B) vide G.O.Ms.No.114 dated 11.8.2010 as not applicable to the petitioner herein and consequently declare class 4A of the consequential

notification of the 2nd respondent in Notification No.49 of 2012 dated 16.11.2012 as null and void so far as the petitioner concerned and consequently direct the respondents to implement G.O.Ms.No.98, Personnel and Administrative Reforms Department, dated 17.7.2006 by increasing the upper age limit of OC candidates from 30 to 35 years and increasing the upper age limit for other candidates from 35 to 40 years

WP No.35344 of 2012

Petition has been filed under Article 226 of Constitution of India to issue a Writ of declaration, declaring the amendment to the general rules in part II of the Tamilnadu state and Subordinate service Rules (Vol. 1 of the Tamil Nadu Services Manual 1987) vide Rule 54(B) vide G.O.Ms.No.114 dated 11.8.2010 as not applicable to the petitioner herein and consequently declare Class 4 A of the Consequential notification of the 2nd respondent in Notification No.49 of 2012 dated 16.11.2012 as null and void so far as the petitioner concerned and consequently direct the respondents to implement G.O.Ms.No.98, Personnel and Administrative Reforms Department, dated 17.7.2006 by increasing the upper age limit of OC candidates from 30 to 35 years and increasing the upper age limit for other candidates from 35 to 40 years

WP No.35345 of 2012

Petition has been filed under Article 226 of Constitution of India to issue a Writ of declaration, declaring the amendment to the general rules in part II of the Tamilnadu state and Subordinate service Rules (Vol. 1 of the Tamil Nadu Services Manual 1987) vide Rule 54(B) vide G.O.Ms.No.114 dated 11.8.2010 as not applicable to the petitioner herein and consequently declare Class 4 A of the Consequential notification of the 2nd respondent in Notification No.49 of 2012 dated 16.11.2012 as null and void so far as the petitioner concerned and consequently direct the respondents to implement G.O.Ms.No.98, Personnel and Administrative Reforms Department, dated 17.7.2006 by increasing the upper age limit of OC candidates from 30 to 35 years and increasing the upper age limit for other candidates from 35 to 40 years

WP No.35346 of 2012

Petition has been filed under Article 226 of Constitution of India to issue a Writ of declaration, declaring the amendment to the general rules in part II of the Tamilnadu state and Subordinate service Rules (Vol. 1 of the Tamil Nadu Services Manual 1987) vide Rule 54(B) vide G.O.Ms.No.114 dated 11.8.2010 as not applicable to the petitioner herein and consequently declare Class 4 A of the Consequential notification of the 2nd respondent in Notification No.49 of 2012 dated 16.11.2012 as null and void so far as the petitioner concerned and consequently direct the respondents to implement G.O.Ms.No.98, Personnel and Administrative

Reforms Department, dated 17.7.2006 by increasing the upper age limit of OC candidates from 30 to 35 years and increasing the upper age limit for other candidates from 35 to 40 years

WP No.27224 of 2013

Petition has been filed under Article 226 of Constitution of India to issue a Writ of declaration, declaring the amendment to the general rules in part II of the Tamilnadu State and Subordinate Service Rules (Vol.I of the Tamilnadu Services Manual 1987) vide Rule 54(B) vide G.O.Ms.No.114 dated 11.8.2010 as not applicable to the petitioner herein and consequently declare Class 3 A of the consequential notification of the 2nd respondent in Notification No.14 of 2013 dated 5.9.2013 as null and void so far as the petitioner concerned and consequently direct the respondents to implement G.O.Ms.No.98, Personnel and Administrative Reforms Department, dated 17.7.2006 by increasing the upper age limit of OC candidates from 30 to 35 years

WP No.27225 of 2013

Petition has been filed under Article 226 of Constitution of India to issue a Writ of declaration, declaring the amendment to the general rules in part II of the Tamilnadu State and Subordinate Service Rules (Vol.I of the Tamilnadu Services Manual 1987) vide Rule 54(B) vide G.O.Ms.No.114 dated 11.8.2010 as not applicable to the petitioner herein and consequently declare Class 3 A of the consequential notification of the 2nd respondent in Notification No.14 of 2013 dated 5.9.2013 as null and void so far as the petitioner concerned and consequently direct the respondents to implement G.O.Ms.No.98, Personnel and Administrative Reforms Department, dated 17.7.2006 by increasing the upper age limit of OC candidates from 30 to 35 years

WP No.689 of 2014

Petition has been filed under Article 226 of Constitution of India to issue a Writ of declaration, declaring the amendment to the general rules in part II of the Tamil Nadu State and Subordinate Service Rules (Vol. 1 of the Tamil Nadu Services Manual 1987) vide Rule 54(B) vide G.O.Ms.No.114 dt.11.08.2010 as not applicable to the petitioner herein and consequently declare Class 4 A of the consequential notification of the 2nd Respondent in Notification No.17/2013 dt.29.12.2013 as null and void so far as the Petitioner concerned and consequently direct the Respondents to implement G.O.Ms.No.98 Personnel and Administrative Reforms Department, dt.17.07.2006 by increasing the upper age limit of BC candidates from 35 to 40 years.

WP No.1395 of 2014

Petition has been filed under Article 226 of Constitution of India to issue a Writ of Certiorarified Mandamus, Calling

for the records pertaining to the order passed by the 1st Respondent in G.O.Ms.No.114, Personnel and Administrative Reforms Department, dt.11.08.2010 in so far as fixation of the date 17.07.2006 to 16.07.2011 is concerned, and the consequential Notification No.17/2013 dt.29.12.2013 issued by the 2nd Respondent in so far as the upper age limit in so far as the petitioner is concerned, and quash the same, and direct the Respondents to receive the application from the petitioner and permit her to take part in the examination extending the benefit of relaxation of 5 years of upper age limit and consider the petitioner for appointment to the posts included in Group I Services pursuant to the Notification No.17/2013 dated 29.12.2013 issued by the 2nd Respondent.

WP No.1848 of 2014

Petition has been filed under Article 226 of Constitution of India to issue a Writ of declaration, declaring the amendment to the general rules in Part II of the Tamilnadu State and Subordinate Service Rules (Vol. I of the Tamilnadu Service Manual 1987) vide rule 54(B) vide in G.O.Ms. No. 114, dt 11.8.2010 as not applicable to the petitioners herein and consequently declare Class 4 A of the consequential notification of the 2nd respondent in Notification No.17/2013 dt 29.12.2013 as null and void so far as the petitioners are concerned and consequently direct the respondents to implement G.O. Ms. No.98, Personnel and Administrative Reforms Department, dt 17.7.2006 by increasing the upper age limit of OC candidates from 30 to 35 years and increasing the upper age limit for other candidates from 35 to 40.

WP No.2615 of 2014

Petition has been filed under Article 226 of Constitution of India to issue a Writ of declaration, Declaring the amendment to the General Rules in Part II of the Tamil Nadu State and Subordinate Service Rules (Vol.I of the Tamil Nadu Service Manual 1987) introducing Rule 54-B through G.O.Ms. No.114P & AR (S) Department dated 11.8.2010 issued by the 1st respondent herein as not applicable to be petitioner herein and consequently direct the respondents to implement G.O.Ms. No.98 P & AR (S) Department dated 17.7.2006 issued by the 1st respondent herein by increasing the upper age limit of Scheduled Caste candidates from 35 to 40 years, in order to allow the petitioner to Apply and Appear for the Group-I Examination Notified in Advt. No.17/2013 dated 29.12.2013

WP No.2616 of 2014

Petition has been filed under Article 226 of Constitution of India to issue a Writ of declaration, Declaring the amendment to the General Rules in Part II of the Tamil Nadu State and Subordinate Service Rules (Vol.I of the Tamil Nadu Service Manual 1987) introducing Rule 54-B through G.O.Ms. No.114 P & AR (S) Department dated 11.8.2010 issued by the 1st

respondent herein as not applicable to be petitioner herein and consequently direct the respondents to implement G.O.Ms. No.98 P & AR (S) Department dated 17.7.2006 issued by the 1st respondent herein by increasing the upper age limit of Backward Class Community candidates from 35 to 40 years, in order to allow the petitioner to Apply and Appear for the Group-I Examination Notified in Advt. No.17/2013 dated 29.12.2013

WP No.2617 of 2014

Petition has been filed under Article 226 of Constituion of India to issue a Writ of declaration, Declaring the amendment to the General Rules in Part II of the Tamil Nadu State and Subordinate Service Rules (Vol.I of the Tamil Nadu Service Manual 1987) introducing Rule 54-B through G.O.Ms. No.114P & AR (S) Department dated 11.8.2010 issued by the 1st respondent herein as not applicable to be petitioner herein and consequently direct the respondents to implement G.O.Ms. No.98 P & AR (S) Department dated 17.7.2006 issued by the 1st respondent herein by increasing the upper age limit of Most Backward Class Community candidates from 35 to 40 years, in order to allow the petitioner to Apply and Appear for the Group-I Examination Notified in Advt. No.17/2013 dated 29.12.2013

WP No.2618 of 2014

Petition has been filed under Article 226 of Constituion of India to issue a Writ of declaration, declaring the amendment to the General Rules in Part II of the Tamil Nadu State and Subordinate Service Rules (Vol.I of the Tamil Nadu Service Manual 1987) introducing Rule 54-B through G.O.Ms. No.114P & AR (S) Department dated 11.8.2010 issued by the 1st respondent herein as not applicable to be petitioner herein and consequently direct the respondents to implement G.O.Ms. No.98 P & AR (S) Department dated 17.7.2006 issued by the 1st respondent herein by increasing the upper age limit of Backward Class Community candidates from 35 to 40 years, in order to allow the petitioner to Apply and Appear for the Group-I Examination Notified in Advt. No.17/2013 dated 29.12.2013.

WP No.1662 of 2014

Petition has been filed under Article 226 of Constituion of India to issue a Writ of declaration, declaring the amendment to the General Rules in Part II of the Tamil Nadu State and Subordinate Service Rules (Vol.I of the Tamil Nadu Manual 1987) introducing Rule 54-B through G.O.Ms. No.114 dated 11.8.2010 issued by the 1st respondent herein as not applicable to the petitioner herein and consequently direct the respondents to implement G.O.Ms. No.98 dated 17.7.2006 issued by the 1st respondent herein by increasing the upper age limit of BC(M) Candidates from 35 to 40 years

WP No.1663 of 2014

Petition has been filed under Article 226 of Constituion of India to issue a Writ of declaration, declaring the amendment to the General Rules in Part II of the Tamil Nadu State and Subordinate Service Rules (Vol.I of the Tamil Nadu Manual 1987) introducing Rule 54-B through G.O.Ms. No.114 dated 11.8.2010 issued by the 1st respondent herein as not applicable to the petitioner herein and consequently direct the respondents to implement G.O.Ms. No.98 dated 17.7.2006 issued by the 1st respondent herein by increasing the upper age limit of MBC Candidates from 35 to 40 years

WP No.1631 of 2014

Petition has been filed under Article 226 of Constituion of India to issue a Writ of declaration, declaring the amendment to the General Rules in Part II of the Tamil Nadu State and Subordinate Service Rules (Vol.I of the Tamil Nadu Manual 1987) introducing Rule 54-B through G.O.Ms. No.114 dated 11.8.2010 issued by the 1st respondent herein as not applicable to the petitioner herein and consequently direct the respondents to implement G.O.Ms. No.98 dated 17.7.2006 issued by the 1st respondent herein by increasing the upper age limit of BC Candidates from 35 to 40 years

WP No.1632 of 2014

Petition has been filed under Article 226 of Constituion of India to issue a Writ of declaration, declaring the amendment to the General Rules in Part II of the Tamil Nadu State and Subordinate Service Rules (Vol.I of the Tamil Nadu Manual 1987) introducing Rule 54-B through G.O.Ms. No.114 dated 11.8.2010 issued by the 1st respondent herein as not applicable to the petitioner herein and consequently direct the respondents to implement G.O.Ms. No.98 dated 17.7.2006 issued by the 1st respondent herein by increasing the upper age limit of BC Candidates from 35 to 40 years

WP No.1633 of 2014

Petition has been filed under Article 226 of Constituion of India to issue a Writ of declaration, declaring the amendment to the General Rules in Part II of the Tamil Nadu State and Subordinate Service Rules (Vol.I of the Tamil Nadu Manual 1987) introducing Rule 54-B through G.O.Ms. No.114 dated 11.8.2010 issued by the 1st respondent herein as not applicable to the petitioner herein and consequently direct the respondents to implement G.O.Ms. No.98 dated 17.7.2006 issued by the 1st respondent herein by increasing the upper age limit of BC Candidates from 35 to 40 years

WP No.1634 of 2014

Petition has been filed under Article 226 of Constituion of India to issue a Writ of declaration, declaring the

amendment to the General Rules in Part II of the Tamil Nadu State and Subordinate Service Rules (Vol.I of the Tamil Nadu Manual 1987) introducing Rule 54-B through G.O.Ms. No.114 dated 11.8.2010 issued by the 1st respondent herein as not applicable to the petitioner herein and consequently direct the respondents to implement G.O.Ms. No.98 dated 17.7.2006 issued by the 1st respondent herein by increasing the upper age limit of BC Candidates from 35 to 40 years

WP No.1635 of 2014

Petition has been filed under Article 226 of Constituion of India to issue a Writ of declaration, declaring the amendment to the General Rules in Part II of the Tamil Nadu State and Subordinate Service Rules (Vol.I of the Tamil Nadu Manual 1987) introducing Rule 54-B through G.O.Ms. No.114 dated 11.8.2010 issued by the 1st respondent herein as not applicable to the petitioner herein and consequently direct the respondents to implement G.O.Ms. No.98 dated 17.7.2006 issued by the 1st respondent herein by increasing the upper age limit of BC Candidates from 35 to 40 years

WP No.1636 of 2014

Petition has been filed under Article 226 of Constituion of India to issue a Writ of declaration, declaring the amendment to the General Rules in Part II of the Tamil Nadu State and Subordinate Service Rules (Vol.I of the Tamil Nadu Manual 1987) introducing Rule 54-B through G.O.Ms. No.114 dated 11.8.2010 issued by the 1st respondent herein as not applicable to the petitioner herein and consequently direct the respondents to implement G.O.Ms. No.98 dated 17.7.2006 issued by the 1st respondent herein by increasing the upper age limit of BC Candidates from 35 to 40 years

WP No.1637 of 2014

Petition has been filed under Article 226 of Constituion of India to issue a Writ of declaration, declaring the amendment to the General Rules in Part II of the Tamil Nadu State and Subordinate Service Rules (Vol.I of the Tamil Nadu Manual 1987) introducing Rule 54-B through G.O.Ms. No.114 dated 11.8.2010 issued by the 1st respondent herein as not applicable to the petitioner herein and consequently direct the respondents to implement G.O.Ms. No.98 dated 17.7.2006 issued by the 1st respondent herein by increasing the upper age limit of BC Candidates from 35 to 40 years

WP No.1638 of 2014

Petition has been filed under Article 226 of Constituion of India to issue a Writ of declaration, declaring the amendment to the General Rules in Part II of the Tamil Nadu State and Subordinate Service Rules (Vol.I of the Tamil Nadu Manual 1987) introducing Rule 54-B through G.O.Ms. No.114 dated 11.8.2010 issued by the 1st respondent herein as not

applicable to the petitioner herein and consequently direct the respondents to implement G.O.Ms. No.98 dated 17.7.2006 issued by the 1st respondent herein by increasing the upper age limit of BC Candidates from 35 to 40 years

WP No.1639 of 2014

Petition has been filed under Article 226 of Constituion of India to issue a Writ of declaration, declaring the amendment to the General Rules in Part II of the Tamil Nadu State and Subordinate Service Rules (Vol.I of the Tamil Nadu Manual 1987) introducing Rule 54-B through G.O.Ms. No.114 dated 11.8.2010 issued by the 1st respondent herein as not applicable to the petitioner herein and consequently direct the respondents to implement G.O.Ms. No.98 dated 17.7.2006 issued by the 1st respondent herein by increasing the upper age limit of BC Candidates from 35 to 40 years

WP No.1640 of 2014

Petition has been filed under Article 226 of Constituion of India to issue a Writ of declaration, declaring the amendment to the General Rules in Part II of the Tamil Nadu State and Subordinate Service Rules (Vol.I of the Tamil Nadu Manual 1987) introducing Rule 54-B through G.O.Ms. No.114 dated 11.8.2010 issued by the 1st respondent herein as not applicable to the petitioner herein and consequently direct the respondents to implement G.O.Ms. No.98 dated 17.7.2006 issued by the 1st respondent herein by increasing the upper age limit of BC Candidates from 35 to 40 years

WP No.1641 of 2014

Petition has been filed under Article 226 of Constituion of India to issue a Writ of declaration, declaring the amendment to the General Rules in Part II of the Tamil Nadu State and Subordinate Service Rules (Vol.I of the Tamil Nadu Manual 1987) introducing Rule 54-B through G.O.Ms. No.114 dated 11.8.2010 issued by the 1st respondent herein as not applicable to the petitioner herein and consequently direct the respondents to implement G.O.Ms. No.98 dated 17.7.2006 issued by the 1st respondent herein by increasing the upper age limit of BC Candidates from 35 to 40 years

WP No.1642 of 2014

Petition has been filed under Article 226 of Constituion of India to issue a Writ of declaration, declaring the amendment to the General Rules in Part II of the Tamil Nadu State and Subordinate Service Rules (Vol.I of the Tamil Nadu Manual 1987) introducing Rule 54-B through G.O.Ms. No.114 dated 11.8.2010 issued by the 1st respondent herein as not applicable to the petitioner herein and consequently direct the respondents to implement G.O.Ms. No.98 dated 17.7.2006 issued by the 1st respondent herein by increasing the upper age limit of BC Candidates from 35 to 40 years

WP No.1643 of 2014

Petition has been filed under Article 226 of Constituion of India to issue a Writ of declaration, declaring the amendment to the General Rules in Part II of the Tamil Nadu State and Subordinate Service Rules (Vol.I of the Tamil Nadu Manual 1987) introducing Rule 54-B through G.O.Ms. No.114 dated 11.8.2010 issued by the 1st respondent herein as not applicable to the petitioner herein and consequently direct the respondents to implement G.O.Ms. No.98 dated 17.7.2006 issued by the 1st respondent herein by increasing the upper age limit of BC Candidates from 35 to 40 years

WP No.1644 of 2014

Petition has been filed under Article 226 of Constituion of India to issue a Writ of declaration, declaring the amendment to the General Rules in Part II of the Tamil Nadu State and Subordinate Service Rules (Vol.I of the Tamil Nadu Manual 1987) introducing Rule 54-B through G.O.Ms. No.114 dated 11.8.2010 issued by the 1st respondent herein as not applicable to the petitioner herein and consequently direct the respondents to implement G.O.Ms. No.98 dated 17.7.2006 issued by the 1st respondent herein by increasing the upper age limit of BC Candidates from 35 to 40 years

WP No.1645 of 2014

Petition has been filed under Article 226 of Constituion of India to issue a Writ of declaration, declaring the amendment to the General Rules in Part II of the Tamil Nadu State and Subordinate Service Rules (Vol.I of the Tamil Nadu Manual 1987) introducing Rule 54-B through G.O.Ms. No.114 dated 11.8.2010 issued by the 1st respondent herein as not applicable to the petitioner herein and consequently direct the respondents to implement G.O.Ms. No.98 dated 17.7.2006 issued by the 1st respondent herein by increasing the upper age limit of BC Candidates from 35 to 40 years

WP No.1646 of 2014

Petition has been filed under Article 226 of Constituion of India to issue a Writ of declaration, declaring the amendment to the General Rules in Part II of the Tamil Nadu State and Subordinate Service Rules (Vol.I of the Tamil Nadu Manual 1987) introducing Rule 54-B through G.O.Ms. No.114 dated 11.8.2010 issued by the 1st respondent herein as not applicable to the petitioner herein and consequently direct the respondents to implement G.O.Ms. No.98 dated 17.7.2006 issued by the 1st respondent herein by increasing the upper age limit of BC Candidates from 35 to 40 years

WP No.1647 of 2014

Petition has been filed under Article 226 of Constituion of India to issue a Writ of declaration, declaring the amendment to the General Rules in Part II of the Tamil Nadu

State and Subordinate Service Rules (Vol.I of the Tamil Nadu Manual 1987) introducing Rule 54-B through G.O.Ms. No.114 dated 11.8.2010 issued by the 1st respondent herein as not applicable to the petitioner herein and consequently direct the respondents to implement G.O.Ms. No.98 dated 17.7.2006 issued by the 1st respondent herein by increasing the upper age limit of BC Candidates from 35 to 40 years

WP No.1648 of 2014

Petition has been filed under Article 226 of Constituion of India to issue a Writ of declaration, declaring the amendment to the General Rules in Part II of the Tamil Nadu State and Subordinate Service Rules (Vol.I of the Tamil Nadu Manual 1987) introducing Rule 54-B through G.O.Ms. No.114 dated 11.8.2010 issued by the 1st respondent herein as not applicable to the petitioner herein and consequently direct the respondents to implement G.O.Ms. No.98 dated 17.7.2006 issued by the 1st respondent herein by increasing the upper age limit of MBC Candidates from 35 to 40 years

WP No.1649 of 2014

Petition has been filed under Article 226 of Constituion of India to issue a Writ of declaration, declaring the amendment to the General Rules in Part II of the Tamil Nadu State and Subordinate Service Rules (Vol.I of the Tamil Nadu Manual 1987) introducing Rule 54-B through G.O.Ms. No.114 dated 11.8.2010 issued by the 1st respondent herein as not applicable to the petitioner herein and consequently direct the respondents to implement G.O.Ms. No.98 dated 17.7.2006 issued by the 1st respondent herein by increasing the upper age limit of BC Candidates from 35 to 40 years

WP No.1650 of 2014

Petition has been filed under Article 226 of Constituion of India to issue a Writ of declaration, declaring the amendment to the General Rules in Part II of the Tamil Nadu State and Subordinate Service Rules (Vol.I of the Tamil Nadu Manual 1987) introducing Rule 54-B through G.O.Ms. No.114 dated 11.8.2010 issued by the 1st respondent herein as not applicable to the petitioner herein and consequently direct the respondents to implement G.O.Ms. No.98 dated 17.7.2006 issued by the 1st respondent herein by increasing the upper age limit of BC Candidates from 35 to 40 years

WP No.1877 of 2014

Petition has been filed under Article 226 of Constituion of India to issue a Writ of declaration, declaring the amendment to the General Rules in Part II of the Tamil Nadu State and Subordinate Service Rules (Vol.I of the Tamil Nadu Manual 1987) introducing Rule 54-B through G.O.Ms. No.114 dated 11.8.2010 issued by the 1st respondent herein as not applicable to the petitioner herein and consequently direct

the respondents to implement G.O.Ms. No.98 dated 17.7.2006 issued by the 1st respondent herein by increasing the upper age limit of SC Candidates from 35 to 40 years

WP No.1846 of 2014

Petition has been filed under Article 226 of Constituion of India to issue a Writ of declaration, declaring the amendment to the General Rules in Part II of the Tamil Nadu State and Subordinate Service Rules (Vol.I of the Tamil Nadu Manual 1987) vide Rule 54-B vide G.O.Ms. No.114 dated 11.8.2010 as not applicable to the petitioner herein and consequently declare Class 4A of the consequential notificatgion of the 2nd respondent in Notification NO.17/2013 dated 29.12.2013 as null and void so far as the petitioner concerned and consequently direct the respondents to implement G.O.Ms. No.98, Personnnel and Administrative Reforms Department dated 17.7.2006 by increasing the upper age limit of OC Candidates from 30 to 35 years and increasing the upper age limit for other candidates from 35 to 40 years

WP No.1847 of 2014

Petition has been filed under Article 226 of Constituion of India to issue a Writ of declaration, declaring the amendment to the General Rules in Part II of the Tamil Nadu State and Subordinate Service Rules (Vol.I of the Tamil Nadu Manual 1987) vide Rule 54-B vide G.O.Ms. No.114 dated 11.8.2010 as not applicable to the petitioner herein and consequently declare Class 4A of the consequential notificatgion of the 2nd respondent in Notification NO.17/2013 dated 29.12.2013 as null and void so far as the petitioner concerned and consequently direct the respondents to implement G.O.Ms. No.98, Personnnel and Administrative Reforms Department dated 17.7.2006 by increasing the upper age limit of OC Candidates from 30 to 35 years and increasing the upper age limit for other candidates from 35 to 40 years

WP No.1917 of 2014

Petition has been filed under Article 226 of Constituion of India to issue a Writ of declaration, declaring the amendment to the General Rules in Part II of the Tamilnadu State and Subordinate Service Rules (Vol.I of the Tamilnadu Services Manual 1987) introducing Rule 54-B through G.O.Ms.No. 114 dated 11.8.2010 issued by the 1st respondent herein as not applicable to the petitioner herein and consequently direct the respondents to implement G.O.Ms.No.98 dated 17.7.2006 issued by the 1st respondent herein by increasing the upper age limit of BC candidates from 35 to 40 years

WP No.2192 of 2014

Petition has been filed under Article 226 of Constituion of India to issue a Writ of declaration, Declaring the amendment to the General Rules in Part II of the Tamil Nadu

State and Subordinate Service Rules (Vol.I of the Tamil Nadu Manual 1987) vide Rule 54-B vide G.O.Ms. No.114 dated 11.8.2010 as not applicable to the petitioner herein and consequently declare Class 4A of the consequential notificatgion of the 2nd respondent in Notification NO.17/2013 dated 29.12.2013 as null and void so far as the petitioner concerned and consequently direct the respondents to implement G.O.Ms. No.98, Personnnel and Administrative Reforms Department dated 17.7.2006 by increasing the upper age limit of BC, MBC, SC/ST Candidates from 35 to 40 years

WP No.2193 of 2014

Petition has been filed under Article 226 of Constituion of India to issue a Writ of declaration, declaring the amendment to the General Rules in Part II of the Tamil Nadu State and Subordinate Service Rules (Vol.I of the Tamil Nadu Manual 1987) vide Rule 54-B vide G.O.Ms. No.114 dated 11.8.2010 as not applicable to the petitioner herein and consequently declare Class 4A of the consequential notificatgion of the 2nd respondent in Notification NO.17/2013 dated 29.12.2013 as null and void so far as the petitioner concerned and consequently direct the respondents to implement G.O.Ms. No.98, Personnnel and Administrative Reforms Department dated 17.7.2006 by increasing the upper age limit of BC, MBC, SC/ST Candidates from 35 to 40 years

WP No.2346 of 2014

Petition has been filed under Article 226 of Constituion of India to issue a Writ of declaration, declaring the amendment to the general rules in part II of the Tamilnadu State and Subordinate Service Rules (Vol.I of the Tamilnadu Services Manual 1987) introducing Rule 54 (B) through G.O.Ms.No.114 dt 11.8.2010 issued by the 1st respondent herein as not applicable to the petitioner herein and consequently direct the respondents to implement G.O.Ms. No.98 dt 17.7.2006 issued by the 1st respondent herein by increasing the upper age limit of BC candidates from 35 to 40 years

WP No.2356 of 2014

Petition has been filed under Article 226 of Constituion of India to issue a Writ of declaration, calling for the records pertaining to the order passed by the 1st respondent in G.O. Ms. No. 114, Personnel and Administrative Reforms Department dt 11.8.2010 in so far as fixation of the date 17.7.2006 to 16.7.2011 is concerned, and the consequential Notification No. 17/2013 dt 29.12.2013 issued by the 2nd respondent in so far as the upper age limit in so far as the petitioner is concerned, and quash the same, and direct the respondents to receive the application from the petitioner and permit him to take part in the examination extending the benefit of relaxation of 5 years of upper age limit and consider the petitioner for appointment to the posts included

in Group I Services pursuant to the Notification No.17/2013 dated 29.12.2013 issued by the second Respondent.

WP No.2357 of 2014

Petition has been filed under Article 226 of Constituion of India to issue a Writ of declaration, calling for the records pertaining to the order passed by the 1st respondent in G.O. Ms. No. 114, Personnel and Administrative Reforms Department dt 11.8.2010 in so far as fixation of the date 17.7.2006 to 16.7.2011 is concerned, and the consequential Notification No. 17/2013 dt 29.12.2013 issued by the 2nd respondent in so far as the upper age limit in so far as the petitioner is concerned, and quash the same, and direct the respondents to receive the application from the petitioner and permit him to take part in the examination extending the benefit of relaxation of 5 years of upper age limit and consider the petitioner for appointment to the posts included in Group I Services pursuant to the Notification No.17/2013 dated 29.12.2013 issued by the second Respondent.

WP No.2358 of 2014

Petition has been filed under Article 226 of Constituion of India to issue a Writ of declaration, declaring the amendment to the General Rules in Part II of the Tamil Nadu State and Subordinate Service Rules (Vol.I of the Tamil Nadu Manual 1987) introducing Rule 54-B through G.O.Ms. No.114 dated 11.8.2010 as not applicable to the petitioners herein and consequently declare Class 4A of the consequential Notification of the 2nd respondent in Notification No.17/2013 dated 29.12.2013 as null and void so far as the Petitioner concerned and consequently direct the Respondents to implement G.O.Ms.No.98 Personnel and Administrative Reforms Department, dated 17.07.2006 by increasing the upper age limit of OC candidates from 30 to 35 years and increasing the upper age limit for other candidates from 35 to 40 years

WP No.2370 of 2014

Petition has been filed under Article 226 of Constituion of India to issue a Writ of declaration, declaring the amendment to the General Rules in Part II of the Tamilnadu State and Subordinate Service Rules (Vol. I of the Tamilnadu Services Manual 1987) introducing Rule 54-B through G.O.Ms.No.114 dated 11.8.2010 issued by the 1st respondent herein as not applicable to the petitioner herein and consequently direct the respondents to implement G.O.Ms.No.98 dated 17.7.2006 issued by the 1st respondent herein in increasing the upper age limit of MBC candidates from 35 to 40 years

WP No.2373 of 2014

Petition has been filed under Article 226 of Constituion of India to issue a Writ of declaration, Declaring the

amendment to the General Rules in Part II of the Tamil Nadu State and Subordinate Service Rules (Vol.I of the Tamil Nadu Manual 1987) introducing Rule 54-B through G.O.Ms. No.114P & AR (S) Department dated 11.8.2010 issued by the 1st respondent herein as not applicable to be petitioner herein and consequently direct the respondents to implement G.O.Ms. NO.98 P & AR (S) Department dated 17.7.2006 issued by the 1st respondent herein by increasing the upper age limit of BC candidates from 35 to 40 years

WP No.2440 of 2014

Petition has been filed under Article 226 of Constituion of India to issue a Writ of declaration, declaring the amendment to the general rules in Part II of the Tamilnadu State and Subordinate Service Rules (Vol. I of the Tamilnadu Service Manual 1987) introducing rule 54(B) through G.O.Ms. No. 114, Personnel and Administrative Reforms (s) Department dt 11.8.2010 issued by the 1st respondent herein as not applicable to the petitioner herein and consequently direct the respondents to Relax the Upper Age Limit for the Scheduled Caste Candidates, who are affected by the Ban Order G.O. Ms. No. 212 Personnel and Administrative Reforms (P) Department dt 20.11.2001, in order to allow the petitioner to Apply and Appear for the Group I Examination Notified in Advertisement No. 17/2013 dt 29.12.2013

WP No.2573 of 2014

Petition has been filed under Article 226 of Constituion of India to issue a Writ of declaration, declaring the amendment to the General Rules in Part II of the Tamil Nadu State and Subordinate Service Rules (Vol.I of the Tamil Nadu Manual 1987) introducing Rule 54-B through G.O.Ms. No.114 dated 11.8.2010 issued by the 1st respondent herein as not applicable to the petitioner herein and consequently direct the respondents to implement G.O.Ms. NO.98 Department dated 17.7.2006 issued by the 1st respondent herein by increasing the upper age limit of SC candidates from 35 to 40 years

WP No.36071 of 2015

Petition has been filed under Article 226 of Constituion of India to issue a Writ of declaration, declaring the Amendment to the General Rules in Part-II of the Tamil Nadu State & Subordinates Service Rules (Vol.I of the Tamil Nadu Services Manual 1987) Vide Rule 54 (B) Vide GO Ms No. 114 dated 11-08-2010 has not applicable to the petitioner herein and consequently declare Clause 4-A of the Notification of the 2nd Respondent in Notification No. 17/2013 dated 29-12-2013 as null and void so far as the Petitioner is concerned and consequently direct the Respondents to implement GO Ms. No. 98 Personnel & Administrative Reforms Department, dated 17-07-2006 by increasing the upper age limit of OC Candidates from 30 to 35 years and increasing the upper age limit for other

candidates from 35 to 40 years

WP No.24238 of 2015

Petition has been filed under Article 226 of Constituion of India to issue a Writ of declaration, Directing the respondent commission to accept the application of the petitioners to take part in the recruitment process initiated vide Notification No.9/2015, dated 10.07.2015 without reference to the amendment to the general rules in part II of the Tamil Nadu State and Subordinate Service Rules (Vol.I of the Tamil Nadu Services Manual 1987) vide Rule 54(B) vide G.O.Ms.No.114 dated 11.8.2010 and consequently without reference to Clause 4-A of the Notification No.9/15 dated 10.07.15 of the 2nd Respondent so far as the Petitioners concerned and consequently direct the respondents to implement G.O.Ms.No.98, Personnel and Administrative Reforms Department, dated 17.7.2006 by increasing the upper age limit of OC candidates from 30 to 35 years and increasing the upper age limit of other candidates from 35 to 40 years.

WP No.35022 of 2015

Petition has been filed under Article 226 of Constituion of India to issue a Writ of declaration, directing the respondent commission to accept the application of the petitioner to take part in the recruitment process initiated vide Notification No.17/2015 dated 12.10.2015 without reference to the amendment to the general rules in part II of the Tamil Nadu State and Subordinate Service Rules (Vol. I of the Tamil Nadu Services Manual 1987) vide Rule 54(B) vide G.O.Ms.No.114 dt. 11.8.2010 and consequently without reference to Clause 3-A of the Notification of the 2nd Respondent so far as the Petitioner concerned and consequently direct the respondents to implement G.O.Ms.No.98, Personnel and Administrative Reforms Department, dt. 17.7.2006 by increasing the upper age limit of OC candidates from 30 to 35 years

WP No.35023 of 2015

Petition has been filed under Article 226 of Constituion of India to issue a Writ of declaration, directing the respondent commission to accept the application of the petitioner to take part in the recruitment process initiated vide Notification No.17/2015 dated 12.10.2015 without reference to the amendment to the general rules in part II of the Tamil Nadu State and Subordinate Service Rules (Vol. I of the Tamil Nadu Services Manual 1987) vide Rule 54(B) vide G.O.Ms.No.114 dt. 11.8.2010 and consequently without reference to Clause 3-A of the Notification of the 2nd Respondent so far as the Petitioner concerned and consequently direct the respondents to implement G.O.Ms.No.98, Personnel and Administrative Reforms Department, dt. 17.7.2006 by increasing the upper age limit of OC candidates from 30 to 35 years

WP No.35024 of 2015

Petition has been filed under Article 226 of Constitution of India to issue a Writ of declaration, directing the respondent commission to accept the application of the petitioner to take part in the recruitment process initiated vide Notification No.17/2015 dated 12.10.2015 without reference to the amendment to the general rules in part II of the Tamil Nadu State and Subordinate Service Rules (Vol. I of the Tamil Nadu Services Manual 1987) vide Rule 54(B) vide G.O.Ms.No.114 dt. 11.8.2010 and consequently without reference to Clause 3-A of the Notification of the 2nd Respondent so far as the Petitioner concerned and consequently direct the respondents to implement G.O.Ms.No.98, Personnel and Administrative Reforms Department, dt. 17.7.2006 by increasing the upper age limit of OC candidates from 30 to 35 years

WP No.36189 of 2015

Petition has been filed under Article 226 of Constitution of India for a Writ of Mandamus, directing the 2nd respondent to accept the petitioners application for taking part in the process of Direct Recruitment of Group I Services initiated vide Notification No.09/2015, dt 10.7.2015 without reference to clause 4 of the notification.

For Petitioners in : Mrs.Dakshayani Reddy
W.P.Nos. 34713, 32866 to
32868, 33704, 33469 to
33472, 34551, 34552, 34810
to 34812, 34935 to 34938,
35344 to 35346 of 2012,
27224, 27225 of 2013, 689,
1848, 2192 and 2193 of
2014

For Petitioners in : Mr.K.Jayaraman
W.P.Nos. 34922 and 34923
of 2013

For Petitioners in : Mr.C.Vediappan
W.P.Nos.1395, 2356, 2357 for M/s.C.S.Associates
of 2014

For Petitioners in : Mr.P.K.Rajesh Praveen
W.P.Nos.2615 to 2618, Kumar
2373, 2440 of 2014

For Petitioners in : Mr.K.Elango
W.P.Nos.1662, 1663, 1917,
1877, 1631 to 1650, 2346,
2370 of 2014

For Petitioners in : Ms.Madhuri Donti Reddy
W.P.No.1846 and 1847, 2358
of 2014

For Petitioners in : Mr.M.Rajendiran
W.P.No.2573 of 2014

For petitioners in : Mr.A.Ansar
W.P.No.36071 of 2015

For Petitioners in : Ms.M.Srividya
W.P.No.24238 of 2015

For Petitioners in : Mr.T.P.Prabakaran
W.P.No.35022 to 35024 of
2015

For Petitioners in : Mr.R.Subramanian
W.P.No.36189 of 2015

For the Respondent/ : Mr.R.Ravichandran
Government in Additional Government
W.P.Nos.34713, 32866 to Pleader
32868, 33704, 33469 to
33472, 34551, 34552, 34810
to 34812, 34922, 34923,
34935 to 34938, 35344 to
35346 of 2012,
W.P.Nos.27224 and 27225 of
2013, 689, 1395, 1848,
2615 to 2618 of 2014

For the Respondent/ : Mr.N.Srinivasan
Government in Additional Government
W.P.Nos.1662, 1663, 1917, Pleader
1877, 1846, 1847, 1631 to
1650, 2192, 2193, 2346,
2356, 2357, 2358, 2370,
2373, 2440, 2573 of 2014
and 36071, 24238, 35022
to 35024, 36189 of 2015

For the Respondent/ Tamil : Ms.C.N.G.Niraimathi
Nadu Public Service
Commission in all writ
petitions

COMMON ORDER
(Delivered by R.SUDHAKAR,J.)

Heard the learned counsel for the petitioners, the learned Additional Government Pleader appearing for the Government and the learned counsel appearing for the Tamil Nadu Public Service Commission.

2. In this batch of cases, the petitioners seek to declare Rule 54B of the General Rules in Part II of the Tamil Nadu State and Subordinate Service Rules, inserted vide G.O.Ms.No.114, dated 11.8.2010, as not applicable to the petitioners; to declare class 4A of the consequential notification No.49 of 2012, dated 16.11.2012 as null and void insofar as the petitioners are concerned; and to consequently direct the respondents to implement G.O.Ms.No.98, Personnel and Administrative Reforms Department, dated 17.7.2006 by increasing the upper age limit of OC candidates from 30 to 35 and increasing the upper age limit for other candidates from 35 to 40 years.

3. The writ petitioners in all these cases have made an attempt to apply for Group-I Services Examination conducted by the Tamil Nadu Public Service Commission. As per the notification issued by the Tamil Nadu Public Service Commission on 16.11.2012, a candidate applying for the post should not have completed the maximum age of 35 years in case of SCs, STs, MBCs/DCs, BCs, BCMS and DWs of all castes and 30 years in case of others. When the candidates attempted to apply on-line, their applications got rejected for the reason that they have crossed the maximum age limit prescribed in the said notification.

4. The plea of the petitioners is that in terms of G.O.Ms.No.98, Personnel and Administrative Reforms (P) Department, dated 17.7.2006, they are entitled to relaxation of upper age limit by five years, as they were affected by the ban order on direct recruitment to government jobs which was in force for the period from 29.11.2001 to 7.2.2006.

5. The petitioners are aggrieved by G.O.Ms.No.114, Personnel and Administrative Reforms (S) Department, dated 11.8.2010, by which Rule 54B of the General Rules was inserted in Part II of the Tamil Nadu State and Subordinate Services Rules, stipulating that the upper age limit shall be raised to a maximum period of five years reckoned on and from the 17.7.2006, ending with 16.7.2011. It is the claim of the petitioners that Rule 54B of the General Rules is not in consonance with G.O.Ms.No.98, Personnel and Administrative Reforms (P) Department, dated 17.7.2006.

6. It is beyond any cavil that pursuant to the interim orders passed in this batch of cases, some of the candidates appeared for preliminary examination and succeeded, while others failed. Thereafter, the successful candidates appeared in the main examination, in which few succeeded and others failed. It is said that some candidates even appeared for interview, but the results were not declared. The pendency of the writ petitions kept the cases of these successful candidates in abeyance.

7. Under similar circumstances, in an earlier round of litigation, a group of similarly placed persons challenged the said Rule 54B of the General Rules and after hearing the parties, by a common order dated 7.8.2015 made in W.P.Nos.24341 to 24344 of 2015, a Division Bench of this Court comprising S.Manikumar,J. and M.Venugopal,J. in R.Renganathan and others v. Government of Tamil Nadu and others, extensively dealt with the contentions raised and dismissed the writ petitions holding as under:

"21. From the reading of G.O.Ms.No.114, P & AR (S) Department, dated 11.08.2010, it could be further deduced that because there was ban for 5 years between 29.11.2001 and 07.02.2006, the Government have granted concession of upper age limit, to a maximum period of 5 years, reckoned on and from 17th July 2006, ending with the 16th July 2011, in computing the age for appointment, to any post under the State Government, except the categories of posts of Teachers, Doctors and Police Constabulary.

22. Government Order also makes it clear that the Government have fixed a specific date, for computing the upper age limit, while granting relaxation for applying to any post under the State Government. Concession granted is given only to those who were affected and could not participate in the competitive examination, during the ban period between 2001 and 2006, by giving a specific reason that on account of the ban, during the said period, they became over-aged. After five years period, the concession granted, no longer continued.

...

27. Concession granted to the abovesaid specific categories both unemployed youth and those in Government service, during the said period of ban, between 29.11.2001 and 07.02.2006, cannot be claimed as a matter of right stating that the Government should relax the upper age limit of 5 years, to everybody, and more particularly, to those who had the opportunity to participate in

the subsequent selection recruitment process in 2007 and 2013 respectively. Concession and relaxation cannot be claimed, as a matter of right. Depending upon the number of vacancies, need for recruitment and such other factors, the Government notifies the vacancies, through the Tamil Nadu Public Service Commission, Chennai, respondent No.2, the agency, for conducting the competitive examinations. Right to employment is not a constitutional or statutory right, to be enforced against the Government. Nevertheless, it is the duty of the Government to fill up the posts, as and when there is a need.

28. Merely because, Group I examination was not conducted, as expected by the petitioner and others, relaxation of upper age cannot be claimed, as a matter of right. Government have not issued any promise for relaxation of upper age limit by 5 years, to all the unemployed youth and in service candidates, for all times to come. Government Orders have been made only to cover those, who could not participate in the selection process for the period between 29.11.2001 and 07.02.2006. Yet another factor to be considered by this Court is that when notification was issued in 2007, there was no objection to the same, when the Government have fixed the age limit. Again in 2013, there was no challenge. The petitioners had an opportunity to participate in the selection process. Now, when notification dated 10.07.2015, is issued in 2015, fixing the upper age limit, the petitioners have alleged violation of Article 14 and contended that there is a violation of the principles of promissory estoppel and doctrine of legitimate expectation.

29. Government have never made any promise that the upper age limit would be relaxed, for all times. That would be against the statutory rules, wherein upper age limit is prescribed, for the posts. There was no specific promise by the Government, that in all future recruitments to the posts in Group I Services, in Government, upper age would be relaxed, by five years. Government have issued orders only to those, affected by the ban period between 29.11.2001 and 07.02.2006. Therefore, it would not be appropriate on the part of the petitioners to contend that the doctrine of promissory estoppel has to be applied. Therefore, the question of applying Doctrine of Promissory Estoppel does not arise."

(emphasis supplied)

8. Even prior to the above decision of the Division Bench, a learned Single Judge (V.Ramasubramanian,J.) had also taken a similar view in D.Ameer Raja and another v. State of Tamil Nadu and another (Order dated 9.1.2013 in W.P.(MD) Nos.65 and 66 of 2013) and held as follows:

"13. A careful scrutiny of G.O.Ms.No.98 would show that the ban order itself was in force only for a period of less than 4 years and 3 months. The ban order was in force from 29.11.2001 upto 7.2.2006. But the relaxation in the upper age limit was granted by G.O.Ms.No.98, for a full period of 5 years. Persons who were on the verge of reaching the upper age limit during the period of ban order, namely, from November 2001 to February, 2006, were the persons who were actually intended to be benefitted by the Government Order and the relaxation. Persons, who were not at the fringe, did not come within the zone within which the relaxation would have been beneficial for him.

14. The issue can be looked at from another angle. The benefit that the petitioners now claim, is a relaxation in the upper age limit without any restriction with regard to any date. If this is accepted what would happen is that the benefit of relaxation will assume completely disproportionate magnitude to the problem that is sought to resolve. The problem that G.O.Ms.No.98 sought to resolve was the ineligibility of persons, who were at the fringe, to appear for direct recruitment to Public Services during the period of the ban order. Even persons, who had not attained majority either by 2001 or by 2006, now seek to benefit if a general relaxation upto 5 years is granted for all persons uniformly. Paragraph 2 of G.O.Ms.No.98 shows very clearly that it was intended only to benefit those who lost the opportunity to participate in any direct recruitment to Public Services.

15. The petitioners, who are now 35 and 39 years of age, would have been only 23 and 27 years of age at the time when the ban order was imposed in November 2001. They would have actually become 28 and 32 years of age at the time when the ban order was lifted. After the lifting of the ban order in 2006, the petitioners have had the opportunity to participate in direct recruitment for a period of 5 years, upto 2011.

16. To put it differently, the ban order was a one time affair. What the petitioners now seek is a relaxation as an all time affair. If the malady is a one time affair, the remedy should also be only a one time affair and not an all time affair.

17. Mr.M.Ajmalkhan, learned Senior Counsel assailed the impugned order on the ground that though relaxation cannot be claimed as a matter of right, an order granting relaxation can be tested on the touchstone of Article 14 and on the question whether it seeks to serve the object for which it came into existence. I have, in fact, tested the impugned Rule on the very same touchstone. As pointed out earlier, the ban order came to existence to remove the hardship caused to the aspirants to Public Services, for a period of 4 years and 3 months. Taking a beneficial attitude, the said hardship was removed by providing relaxation upto 5 years, during the period from the date of issue of the Government Order upto the date of expiry of 5 years. Therefore, the Rule has, in fact, sought to achieve the object for which G.O.Ms.No.98 was imposed. Therefore, prima facie, I do not find any illegality in the impugned Rule and hence the writ petitions, cannot be entertained. Accordingly, they are dismissed."

(emphasis supplied)

9. However, another learned Single Judge (Vinod K.Sharma,J.) in P.Pandeyrajan v. General Manager, Tamil Nadu State Transport Corporation (Nellai) Ltd., MANU/TN/1907/2012, took a contra view and allowed the writ petitions holding that Rule 54B of the General Rules is arbitrary and has no nexus with the object sought to be achieved. It was held that the right given under G.O.Ms.No.98, Personnel and Administrative Reforms (P) Department, dated 17.7.2006, cannot be taken away by inserting Rule 54B of the General Rules. The relevant portion of the said order reads as under:

"71. The learned Advocate General and other counsel appearing on behalf of the respondents have not been able to explain how G.O. Ms. No. 98 Personnel and Administrative Reforms(S) Department dated 17.7.2006, which gave general relaxation of age was modified, while incorporating it as Rule 54-B of the Tamil Nadu State and Subordinate Services Rules, by adding that the benefit of five years relaxation is only applicable from 17.7.2006 to 16.7.2011.

72. Once in exercise of powers under Article 309 of the Constitution of India, G.O. Ms. No. 98 Personnel and Administrative Reforms(S) Department dated 17.7.2006 was issued, giving relaxation of five years of age, in appointment to the Government service, which was extended to the State Corporations, the right could not be taken away by subsequent G.O. Ms. No. 114 Personnel and Administrative Reforms Department dated 11.8.2010, as G.O. Ms. No. 98 Personnel and Administrative Reforms(S) Department dated 17.7.2006, stipulated that relaxation would be incorporated in the Rules. This was required to be incorporated, as such, and not modified. It is well settled law, that Rules framed under Article 309 of the Constitution of India, can only be amended or modified, by following the same procedure.

73. Rule 54-B of the Tamil Nadu State and Subordinate Services Rules therefore, on the face of it, is arbitrary, as it has no nexus with object sought to be achieved. The posts to be filled up fell vacant prior to 16.7.2011, therefore right of eligible persons cannot be taken away by modifying the rule framed by Hon'ble Governor while incorporating it as rule. Otherwise also, while G.O. Ms. No. 98 Personnel and Administrative Reforms (S) Department dated 17.7.2006, was adopted by transport corporations, subsequent G.O., framing Rule 54-B has not been adopted by transport corporations. Therefore, the transport corporations are bound by G.O. Ms. No. 98 Personnel and Administrative Reforms (S) Department dated 17.7.2006 and not Rule 54-B of the Tamil Nadu State and Subordinate Services Rules.

74. The contention of the learned advocate General, that it is the policy decision of the State Government, whether to grant or not to grant the age relaxation cannot be disputed. It is true, that this Court, by issuing a writ, in the nature of mandamus, cannot direct the State Government, to frame the Rules with regard to age or other conditions of service, as it is the prerogative of the Corporation or the State, to take a decision in this regard. But, at the same time, in view of the admission in the counter, that State Government had taken a policy decision by accepting the order of this Court, and had issued directions to make G.O. Ms. No. 98 Personnel and Administrative Reforms(S)

Department dated 17.7.2006, applicable for employees to the State agencies. This right could not be taken away by Rule 54-B of the Tamil Nadu State and Subordinate Services Rules, in garb of incorporating Notification in the Rules, specially when this Rule is not adopted by the State Corporations.

75. The second question is also decided in favour of the petitioners, and it is held, that the candidates applying for the posts will be entitled to benefit of five years relaxation in age."

10. The Government taking note of the fact that many unemployed youth were affected by the ban on recruitment to government jobs imposed between 29.11.2001 and 7.2.2006, issued G.O.Ms.No.98, Personnel and Administrative Reforms (S) Department, dated 17.7.2006, relaxing the upper age limit for entering into government service by five years. The said government order reads as under:

"Personnel - Tamil Nadu State and Subordinate Services - Ban on recruitment - lifted - Relaxation of upper age limit for entering the Government service by five years to unemployed youth - Orders - issued.

PERSONNEL AND ADMINISTRATIVE REFORMS (S)
DEPARTMENT

G.O.Ms.No.98
17.07.2006

Dated

Read:

1.G.O.Ms.No.212 Personnel and Administrative Reforms (P) Department dated 29.11.2001.

2.G.O.Ms.No.14 Personnel and Administrative Reforms (P) Department dated 07.02.2006.

ORDER:-

The Government in their orders First read above, have issued orders banning the filling up of vacant posts in the State and Subordinate Services by direct recruitment, except in respect of certain categories of posts considered essential, such as Teachers, Doctors and Police Constabulary. In their orders second read above, the above ban on direct recruitment was lifted with immediate effect.

2. His Excellency the Governor of Tamil Nadu, in his address in the Tamil Nadu Legislative Assembly on 24.05.2006 has among others announced that the upper age limit for entering into

Government service will be relaxed by five years to enable the unemployed youth affected by the ban order to recruitment, to apply for government jobs.

3. The Government after careful consideration, accordingly direct that the upper age limit for entering into Government service shall be relaxed by five years, to enable the unemployed youth affected by the ban order on recruitment, to apply for Government jobs.

4. Necessary amendments to the General Rules for the Tamil Nadu State and Subordinate Services will be issued separately.

(BY ORDER OF THE GOVERNOR)"

(emphasis supplied)

11. From a reading of the above said government order, it is clear that the Government relaxed the upper age limit for entering into Government service by five years to enable the unemployed youth affected by the ban order of recruitment to apply for government jobs. Subsequently, by G.O.Ms.No.152, Personnel and Administrative Reforms (S) Department, dated 18.9.2006, the Government extended similar concession to those who are already in Government service, so as to enable them to write the competitive examination conducted by the Tamil Nadu Public Service Commission. In both the above government orders, the Government has stated that necessary amendment to General Rules for Tamil Nadu State and Subordinate Services will be issued separately.

12. Subsequently, the government issued G.O.Ms.No.114, Personnel and Administrative Reforms (S) Department, dated 11.8.2010, inserting a separate provision in the General Rules in Part II of Tamil Nadu State and Subordinate Services Rules by inserting Rule 54B, which reads as under:

"54B Age concession for persons affected due to the ban on direct recruitment:

Notwithstanding anything contained in the Special Rules for the various State and Subordinate Services or in any ad hoc rules applicable to any temporary post, in the case of a person who has been affected due to the ban on direct recruitment that was imposed on the 29th November 2001. The upper age limit shall be raised to a maximum period of five years reckoned on and from the 17th July 2006, ending with the 16th July 2011, in computing his age for appointment to any post under the State Government, except the categories of posts of Teachers, Doctors and Police Constabulary and Shall be applicable in

respect of notification issued or selections made by competent recruiting authorities or appointments made by competent appointing authorities during the aforesaid period."

(emphasis supplied)

13. It is the plea of the petitioners that restricting the relaxation of upper age limit up to 16.7.2011 is violative of Articles 14 and 16 of the Constitution of India inasmuch as equals are treated unequally without any nexus to the object sought to be achieved. In other words, it is the plea of the petitioners that the individuals who were 25 to 29 years in the case of OC and those who were 30 to 34 years in the case of BC, MBC, SC/ST as on the date of imposition of the ban in 2001 have got the full effect of the relaxation, whereas the petitioners, who were 21 to 24 years as on 2001 in the case of OC and 21 to 29 years in the case of BC, MBC, SC/ST, are deprived of their valuable right to take part in the recruitment process, by virtue of the artificial cut-off date fixed vide the said Rule.

14. The true intent of G.O.Ms.No.98, Personnel and Administrative Reforms (P) Department, dated 17.7.2006 is to relax upper age limit for entering into Government service by five years to enable the unemployed youth affected by the ban order on recruitment to apply for government jobs. G.O.Ms.No.152, Personnel and Administrative Reforms (S) Department, dated 18.9.2006 granted similar relaxation to persons in government service to enable them to write competitive examinations conducted by the Tamil Nadu Public Service Commission. The said government orders were issued to ensure that persons who were about to cross the upper age limit for recruitment to government services by virtue of the ban are not affected.

15. Subsequently, the Government inserted Section 54B of the Rules prescribing that the upper age limit shall be raised to a maximum of five years reckoned on and from 17.7.2006 ending with 16.7.2011, in computing the age for appointment to any post under the State Government. Even as per the learned counsel for the petitioners, the petitioners were in the age group of 21 to 24 years on as on 2001 in the case of OC and 21 to 29 years in the case of BC, MBC, SC/ST. Therefore, they had the opportunity to take part in the Group I Service Examinations conducted in the year 2007, immediately after the ban was lifted. Such concession of upper age limited granted cannot be extended ad infinitum, as that would run counter to general age limit fixed for recruitment to government service.

16. The relaxation granted by the Government was a one-time measure and the same cannot be claimed as a matter of right by the petitioners, as fixing the cut-off date for determining the maximum or minimum age prescribed for a post is in the discretion of the rule-making authority. Whenever a cut-off date is fixed for determining maximum or minimum age for the post, there are bound to be some candidates, who will be over-aged or who are age-barred, but, this alone cannot be the reason for holding that the cut-off date, fixed by the government is arbitrary. Of course, courts are empowered to interfere even with a policy decision, if it is found to be wholly irrational. But, merely because the petitioners claim that they had lesser opportunities to appear for examinations for government services, a policy decision cannot be interfered with.

17. The above said view of ours is fortified by a decision of the Supreme Court in Dr. Ami Lal Bhat v. State of Rajasthan, (1997) 6 SCC 614, wherein it is held as under:

"5. This contention, in our view, is not sustainable. In the first place the fixing of a cut-off date for determining the maximum or minimum age prescribed for a post is not, per se, arbitrary. Basically, the fixing of a cut-off date for determining the maximum or minimum age required for a post, is in the discretion of the rule-making authority or the employer as the case may be. One must accept that such a cut-off date cannot be fixed with any mathematical precision and in such a manner as would avoid hardship in all conceivable cases. As soon as a cut-off date is fixed there will be some persons who fall on the right side of the cut-off date and some persons who will fall on the wrong side of the cut-off date. That cannot make the cut-off date, per se, arbitrary unless the cut-off date is so wide off the mark as to make it wholly unreasonable. This view was expressed by this Court in Union of India v. Parameswaran Match Works, (1975) 1 SCC 305 and has been reiterated in subsequent cases. In the case of A.P. Public Service Commission v. B. Sarat Chandra, (1990) 2 SCC 669, the relevant service rule stipulated that the candidate should not have completed the age of 26 years on the 1st day of July of the year in which the selection is made. Such a cut-off date was challenged. This Court considered the various steps required in the process of selection and said,

'when such are the different steps in the process of selection the minimum or maximum age of suitability of a candidate

for appointment can not be allowed to depend upon any fluctuating or uncertain date. If the final stage of selection is delayed and more often it happens for various reasons, the candidates who are eligible on the date of application may find themselves eliminated at the final stage for no fault of theirs. The date to attain the minimum or maximum age must, therefore, be specific and determinate as on a particular date for candidates to apply and for the recruiting agency to scrutinise the applications.'

This Court, therefore, held that in order to avoid uncertainty in respect of minimum or maximum age of a candidate, which may arise if such an age is linked to the process of selection which may take an uncertain time, it is desirable that such a cut-off date should be with reference to a fixed date. Therefore, fixing an independent cut-off date, far from being arbitrary, makes for certainty in determining the maximum age.

x x x

11. In our view this kind of an interpretation cannot be given to a rule for relaxation of age. The power of relaxation is required to be exercised in public interest in a given case; as for example, if other suitable candidates are not available for the post, and the only candidate who is suitable has crossed the maximum age-limit; or to mitigate hardship in a given case. Such a relaxation in special circumstances of a given case is to be exercised by the administration after referring that case to the Rajasthan Public Service Commission. There cannot be any wholesale relaxation because the advertisement is delayed or because the vacancy occurred earlier especially when there is no allegation of any mala fides in connection with any delay in issuing an advertisement. This kind of power of wholesale relaxation would make for total uncertainty in determining the maximum age of a candidate. It might be unfair to a large number of candidates who might be similarly situated, but who may not apply, thinking that they are age-barred. We fail to see how the power of relaxation can be exercised in the manner contended."

(emphasis supplied)

18. For the foregoing reasons, we find no reasons to differ with the view taken by the Division Bench of this Court in R.Renganathan case, referred supra.

In the result, these writ petitions stand dismissed. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-
Assistant Registrar(CS VII)

//True Copy//

Sub Assistant Registrar

sasi

1. The State of Tamil Nadu
rep. by its Secretary
Personnel and Administrative Reforms Dept.
Secretariat, Chennai - 600 009.
2. The Secretary
Tamil Nadu Public Service Commission
Frazer Bridge Road, V.O.C. Nagar
Park Town, Chennai - 600 003.

+1cc to Ms.Madhuri Donti Reddy, Advocate, S.R.No.7624
+1cc to Mr.K.Elango, Advocate, S.R.No.7310
+1cc to M/s.C.S.Associates, Advocate, S.R.No.7126
+1cc to Mrs.Dakshayani Reddy, Advocate, S.R.No.7090
+1cc to Ms.M.Srividya, Advocate, S.R.No.7089
+1cc to the Government Pleader, S.R.Nos.7786

W.P.Nos.34713, 32866 to 32868,
33469 to 33472, 33704, 34551,
34552, 34810 to 34812, 34922,
34923, 34935 to 34938, 35344 to
35346 of 2012, 27224 and 27225
of 2013, 689, 1395, 1848, 2615
to 2618, 1662, 1663, 1631 to
1650, 1877, 1846, 1847, 1917,
2192 and 2193, 2346, 2356 and
2357, 2358, 2370, 2373, 2440,
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35022 to 35024 and 36189 of 2015

CNR(CO)
CA(10/03/2016)