



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 03.04.2017

CORAM:

THE HONOURABLE MR.JUSTICE T.S.SIVAGNANAM
and
THE HONOURABLE MR.JUSTICE P.VELMURUGAN

W.P. (MD) No.15544 of 2014
and
M.P. (MD) .No.1 of 2014

G.Pandian

... Petitioner

-vs-

1. The Government of Tamil Nadu
Represented by the Secretary
Home Department
Secretariat, Chennai - 600 009

2. The Secretary
Tamil Nadu Public Service Commission
Chennai.

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a writ of declaration to declare the serial No.9 in the schedule appended to Rule 5 of the Tamil Nadu State Judicial Service (Cadre and Recruitment) Rules, 2007 in sofar as it disqualifies the Government Service Candidate having law graduation in par with the practicing advocate as illegal and unconstitutional.

For Petitioner : Mr.N.Anandakumar
For Respondents : Mr.V.Muruganantham
Addl. Govt. Pleader

O R D E R

[Order of the Court by **T.S.SIVAGNANAM, J.**]

Heard Mr.N.Anandakumar, learned counsel appearing for the petitioner and Mr.V.Muruganantham, learned Additional Government Pleader appearing for the respondents and perused the materials produced.

2. The prayer in this writ petition is for issuance of a writ of declaration to declare Serial No.9 in the Schedule appended to Rule 5 of the Tamil Nadu State Judicial Service (Cadre and



recruitment) Rules 2007 insofar as it disqualifies the Government Service candidate having law graduation in par with the practicing advocate as illegal and unconstitutional.

3. After hearing the learned counsel for the petitioner and considering the grounds raised in the writ petition, we find that the restriction / classification imposed in the Service Rules is just and proper. Thus, based on the contentions raised by the petitioner, the impugned order cannot be set aside and the writ petition is, therefore, liable to be dismissed.

4. In the result, the writ petition fails and it is dismissed. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar(CS-III)

/True Copy/

Sub Assistant Registrar

To:

1. The Secretary,
Government of Tamil Nadu,
Home Department,
Secretariat, Chennai - 600 009.

2. The Secretary,
Tamil Nadu Public Service Commission, Chennai.

+1 cc to M/S.Special Government Pleader, SR.No.19410

+1 cc to Mr.N.Ananda Kumar, Advocate, SR.No. 50351

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skm/krk

MKV-JC-SAR 3/17.4.2017/2P-5C