

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED: 10.09.2018

CORAM
THE HONOURABLE MR.JUSTICE SATRUGHANA PUJAHARI
W.P.No.23587 of 2018
in
WMP. No.27539 of 2018

K. Pushparani

...Petitioner

..vs..

1.The Secretary to Government
Law Department, Secretariat
Chennai - 600 009.

2.The Chairman
Teachers Recruitment Board
4th floor, EVK Sampath Maaligai
DPI Campus, College Road
Chennai - 600 006.

3.The Member Secretary
Teachers Recruitment Board
4th floor, EVK Sampath Maaligai
DPI Campus, College Road,
Chennai - 600 006.

...Respondents

Prayer:- Writ Petition filed under Article 226 of the Constitution of India praying for a writ of Declaration, declaring that para 4 clause(ii) of the Notification No.2/2018 dated 18.07.2018 issued by 3rd respondent is arbitrary, illegal, violates Article 14 and 21 of the Constitution of India in as much as insisting Master Degree in Law and enrollment as an Advocate in the Bar Council of Tamil Nadu for the direct recruitment of Assistant Law Professor (Pre-Law) in Government Law Colleges 2017-2018.

For Petitioner : Mr. A. Kalaiselvan

For Respondents: Mrs.P. Kavitha
Government Advocate (R1)
Mr. C. Munusamy (R2 & R3)
Special Government Pleader

O R D E R

Ms.P.Kavitha, learned Government Advocate accepts notice on behalf of the first respondent. Mr.C.Munusamy, learned Special Government Pleader accepts notice on behalf of the respondents 2 and 3.

2. By consent, this Writ Petition is taken up and disposed of at the stage of admission itself.

3. The case of the petitioner is that though he is possessing required qualification to teach Economics and is eligible to the post of Assistant Professor (Pre-Law), as per the Notification issued by the third respondent dated 18.07.2018, the Master degree is law, is also the requisite qualification to the post of Assistant Law Professor (Pre-Law), which the petitioner has not possessed. It is stated that such a requirement is not in accordance with the guidelines of U.G.C. Hence, the petitioner has come forward with this Writ Petition, challenging the notification issued by the third respondent dated 18.07.2018.

4. During the course of hearing, it is submitted by the learned counsel appearing for the petitioner that this Court in similar circumstances has directed the authority concerned to accept the application of the petitioner offline and therefore such benefit be extended to this petitioner also.

5. Needless to say that in those cases, the writ petitioners have approached this Court before the last date of acceptance of applications and as such this Court allowed the interim prayer made to accept their applications and allow them to participate in the examination but their result has been made subject to the outcome of the writ petitions. So far as the petitioner is concerned he has come to this Court many days after the last date of the acceptance of the applications. The stipulation of an additional degree of Master in Law for Assistant Professor in respect of other subjects in five years integrated course, is already under challenge in those writ petitions. In such premises, I am of the view that the petitioner's prayer made to entertain the writ petition and pending disposal of the same allow him to participate in the written examination by issuing necessary direction to the respondents appears to be without any substance inasmuch as the petitioner has approached this Court at a belated stage. Hence, this writ petition is dismissed at the stage of admission. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar(CS VII)

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Sub Assistant Registrar

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To

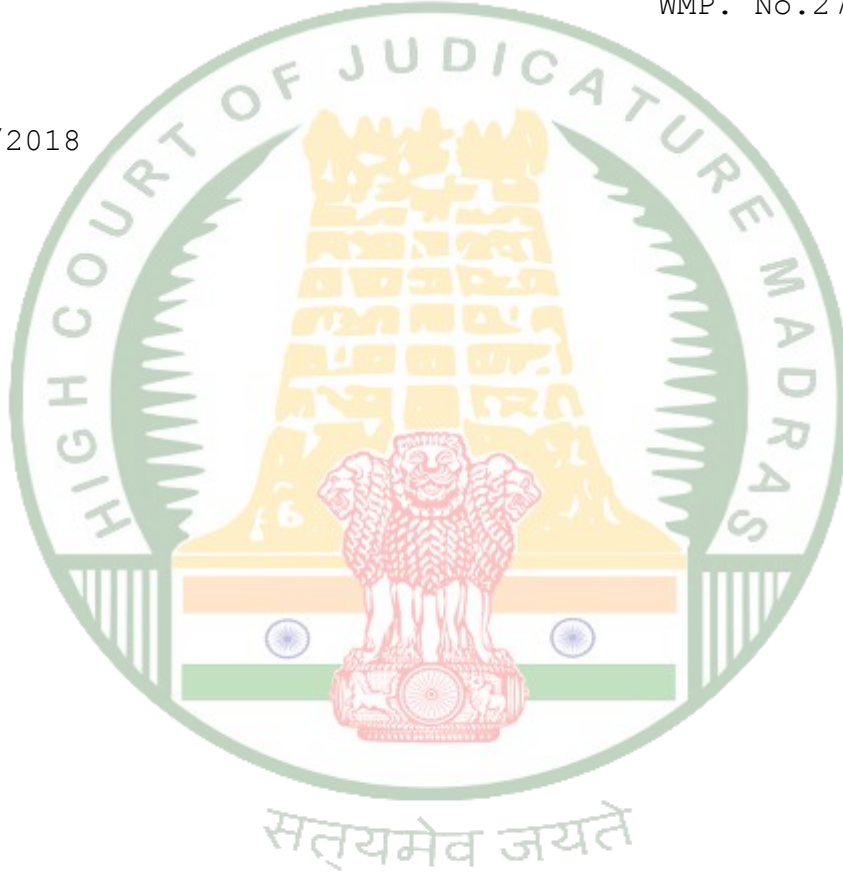
The Secretary to Government
Law Department Secretariat
Chennai - 600 009.

+1cc to Mr.A.Kalaiselvan, Advocate, S.R.No.62840
+1cc to the Government Pleader, S.R.No.62933

W.P.No.23587 of 2018
and
WMP. No.27539 of 2018

CA(CO)

rrs 11/10/2018



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