



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 05.02.2018

CORAM:

WEB COPY

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P. (MD) No. 18586 of 2014

and

M.P. (MD). Nos. 1 & 2 of 2014

P.Rajeshkumar

.. Petitioner

Vs.

1.The Government of Tamil Nadu

Rep by the Secretary,
Tamil Nadu State Transport Corporation,
St.George Fort,
Chennai.

2.The Managing Director,

Tamil Nadu State Transport Corporation,
Kumbakonam Division,
Kumbakonam.

.. Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India to issue a Writ of Certiorari, to call for records relating to the impugned notification, issued by the second respondent in Notification No.04/KUM/2014, dated Nil published in Dinathandi Tamil Daily, Madurai on 02.11.2014 and quash the same as illegal.

For petitioner : Mr. M.Mahaboob Athiff
for Ajmal Associates.

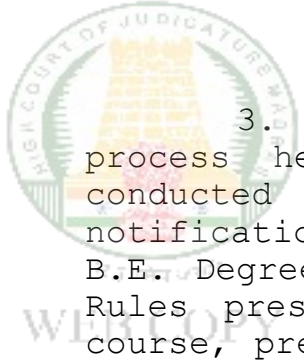
For respondent 2 : Mr.D.Sivaraman
Standing Counsel

For Respondent 1 : M/s.S.Srimathi
Special Government Pleader

O R D E R

Heard the learned counsel on either side.

2. By consent of both parties, the main writ petition is taken up for final disposal at the stage of admission itself.



3. The petitioner was a participant in the recruitment process held for the post of Assistant Engineer (Mechanical) conducted by the respondent/Corporation. The recruitment notification prescribes that the candidate must possess first Class B.E. Degree. The case of the petitioner is that when the Service Rules prescribes that the candidate must only have B.E. Degree course, prescription of extra qualification of having a first Class in B.E. Degree renders the impugned notification illegal.

4. This Court is unable to countenance such a contention. The recruiting authority is entitled to prescribe a higher qualification over and above what has been prescribed in the relevant recruitment Rules. There is absolutely no illegality in the notification.

5. Mr.D.Sivaraman, learned Standing Counsel for the second respondent points out that the Recruitment Rules got amended way back in the year 1987 and that in the amending Recruitment Rules first Class has been prescribed as an essential eligibility requirement.

6. Therefore, the impugned notification cannot be said to be contrary to the prescription said out in the recruitment rules. This Court find no merit in the Writ Petition. This writ petition is dismissed. No costs. Consequently, M.P. (MD). Nos. 1 & 2 of 2014 are closed.

Sd/-
Assistant Registrar(AS)

/True Copy/

Sub Assistant Registrar

To

1 The Secretary,
Government of Tamil Nadu
Tamil Nadu State Transport Corporation,
St.George Fort,
Chennai.

2.The Managing Director,
Tamil Nadu State Transport Corporation,
Kumbakonam Division,
Kumbakonam.

+1CC to M/s.Ajmal Associates, SR.No. 46129
+1CC to Mr.D.Sivaraman, Advocate, SR.No. 46102

ORDER MADE IN
W.P. (MD) No. 18586 of 2014
05.02.2018