

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

DATED: 21.06.2019

CORAM:

THE HONOURABLE **MR. JUSTICE S.M.SUBRAMANIAM****W.P. (MD) No.823 of 2015****and****M.P. (MD) .Nos.2 to 4 of 2015**

WEB COPY

1.R.Cecily
2.V.Micheal Mary
3.I.Dhanalakshmi
4.B.Vellilmalar
5.J.Deepa
6.P.Uma Maheswari

... Petitioners

Vs.

1.Mother Theresa Women's University,
Represented by its Registrar,
Kodaikanal,
Dindigul District.

2.The Vice Chancellor,
Mother Theresa Women's University,
Kodaikanal,
Dindigul District.

... Respondents

PRAYER: Writ Petition under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, to call for the records pertaining to the impugned notification dated nil published by the respondent No.1 in the respondent University and quash the same as illegal and consequently, to direct the respondent No.1 to appoint the petitioners in the post of Junior Assistants with age relaxation within the time stipulated by this Court.

For Petitioners : Mr.T.Lajapathi Roy

For Respondents : No appearance

ORDER

The present writ petition is to quash the recruitment notification issued by the first respondent in the respondent University and direct the respondent to appoint the writ petitioners to the post of Junior Assistants with age relaxation.

2.The very prayer sought for in the present writ is self-evident that the writ petitioners were over-aged at the time of issuance of the recruitment notification. The relief sought for is to grant age relaxation. Such a relaxation cannot be granted in a writ petition under Article 226 of the Constitution of India, the



terms and conditions stipulated in the recruitment notification cannot be deviated in order to compromise and the authorities competent are bound to follow the same scrupulously and to maintain the University Act without causing any discrimination. The service rules in the matter of selection are to be followed scrupulously. When the writ petitioners even at the time of filing of the writ petition were over-aged, now after a lapse of many years, they cannot be accommodated in the post, for which, they have submitted application. This part, the process of selection pursuant to the impugned notification of the year 2015 had already been concluded and the selected persons were appointed. Under these circumstances, if any grievance exists, the writ petitioners are at liberty to approach the competent authorities in the manner known to law. However, the relief as such sought for in the present writ petition cannot be granted and the same stands dismissed. No costs. Consequently, the connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar (CS-III)

// True Copy //

Sub Assistant Registrar (CS)

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To

1. Mother Theresa Women's University,
Represented by its Registrar,
Kodaikanal,
Dindigul District.

2. The Vice Chancellor,
Mother Theresa Women's University,
Kodaikanal,
Dindigul District.

+1CC TO M/S.T.LAJAPATHY ROY, ADVOCATE, SR.NO. 70896

W.P. (MD) No. 823 of 2015

and

M.P. (MD) .Nos. 2 to 4 of 2015

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BUC(10.07.2019) 3P 4C