



WEB COPY

W.P(MD)NO.18544 of 2021

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 08.10.2021

CORAM:

THE HONOURABLE MR.JUSTICE M.DURAISWAMY

AND

THE HONOURABLE MR.JUSTICE K.MURALI SHANKAR

W.P(MD)NO.18544 of 2021

and

W.M.P(MD)Nos.15318, 15320 and 15321 of 2021

1.S.Thavamani
2.M.Balamurugan

: Petitioners

vs.

1.The State of Tamil Nadu,
represented by its Principal Secretary to Government,
School Education Department,
Fort St.George, Secretariat,
Chennai 600 009.

2.The Commissioner of School Education,
DPI Campus, College Road,
Chennai 600 006.

3.The Teachers Recruitment Board,
Represented by its Chairman,
DPI Campus, College Road,
Chennai 600 006.

: Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Declaration, declaring Rule 6 of Special Rules of Tamil Nadu Higher Secondary Educational Service notified in G.O.Ms.No.14, School Education Department, dated 30.01.2020, prescribing the maximum age limit as 40 for direct recruitment to the post of P.G. Assistant and consequential notification issued by the third respondent in Advertisement No.1/2021, dated 09.09.2021, insofar as Clause 5 prescribing the maximum age limit as 40 is concerned, as arbitrary, irrational, unconstitutional and consequently allow the petitioners to participate in the selection to the post of P.G. Assistant.

For Petitioner	:	Mr.G.Sankaran for Mr.F.Deepak
For Respondents	:	Mr.P.Thilak Kumar 1 and 2 Government Pleader
For 3 rd Respondent	:	Mr.VR.Shamuganathan



O R D E R

[Order of the Court was made by **M.DURAISWAMY., J.**]

The Petitioner has filed the above Writ Petition to issue a Writ of Declaration, declaring Rule 6 of Special Rules of Tamil Nadu Higher Secondary Educational Service notified in G.O.Ms.No.14, School Education Department, dated 30.01.2020, prescribing the maximum age limit as 40 for direct recruitment to the post of P.G. Assistant and the consequential notification issued by the third respondent, dated 09.09.2021, insofar as Clause 5 prescribing the maximum age limit as 40 is concerned, as arbitrary, irrational, unconstitutional and consequently allow the petitioners to participate in the selection to the post of P.G. Assistant.

2.When the Writ Petition is taken up for hearing today, Mr.G.Sankaran, learned Counsel appearing for the Petitioner submitted that the Writ Petition seeking for the similar relief was filed before the Principal Seat today in W.P.No.21983 of 2021 and the same was dismissed by the Division Bench of the Principal Bench today, hence, the Writ Petition may be dismissed following the order passed in W.P.No.21983 of 2021.

3.In view of the submission made by the learned Counsel for the Petitioner, the Writ Petition is dismissed, following the order passed in W.P.No.21983 of 2021. No costs. Consequently, the connected Miscellaneous Petitions are dismissed.

Sd/-

Assistant Registrar (CRL)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

vsn/lr

Note:In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate / litigant concerned.

To

1.The Principal Secretary to Government,
School Education Department,
Fort St.George, Secretariat,
Chennai 600 009.



2.The Commissioner of School Education,
DPI Campus, College Road,
Chennai 600 006.

3.The Chairman,
Teachers Recruitment Board,
DPI Campus, College Road,
Chennai 600 006.

+1 CC to M/s.F.DEEPAK, Advocate (SR-31784[F] dated 08/10/2021)

+1 CC to M/s.SPL.GP (SR-31947[F] dated 11/10/2021)

ORDER MADE IN
W.P (MD) NO.18544 of 2021
and
W.M.P (MD) Nos.15318, 15320 and 15321 of 2021
08.10.2021

SS (CO) /RS (22.10.2021) 3P 6C