



WP Nos.9017 and 9038 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 02.11.2023

CORAM

THE HON'BLE MR.SANJAY V.GANGAPURWALA, CHIEF JUSTICE

AND

THE HON'BLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

WP Nos.9017 and 9038 of 2023

K.Sudhakar : Petitioner in WP No.9017 of 2023

A.Manikandan : Petitioner in WP No.9038 of 2023

versus

1.The State of Tamil Nadu,
rep. By its Principal Secretary to Government,
Law Department, Fort St.George, Chennai 9

2.State of Tamil Nadu,
rep. By its Secretary,
Department of Higher Education,
Secretariat, Fort St.George, Chennai 9

3.The University Grants Commission,
Bahadur Shah Zafar Marg, New Delhi 110002,

4.Directorate of Legal Studies,
198, Purasaiwakkam, Chennai 10

5.The Tamil Nadu Public Service Commission,
Park Town, VOC Nagar,
Chennai 600 003

: Respondents in both writ petitions

Prayer: Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Declaration declaring that the Special Rules for the Tamil Nadu Legal Educational Service issued vide GO Ms.No.233 Law (LS) dated 11.04.2022 by the 1st respondent insofar as the qualification prescribed for



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Clause 4 (IV)-for the post of Librarian is concerned and the consequent recruitment notification issued by the 5th respondent in Advertisement No.650 Notification No.04/2023 dated 31.01.2023 as regards Clause 5(B) in respect of the post of College Librarian in Government Law College are illegal and unsustainable in law being ultravires the UGC Regulations 2018 as adopted by the State Government in GO Ms. No.5 Higher Education (H1) Department dated 11.01.2021.

For the Petitioner : Ms.N.Kavitha Rameshwar

For Respondents 1, 2 : Mr.R.Shunmugasundaram,
Advocate-General,
Assisted by Mrs.R.Anitha, Spl.G.P.

For Respondent No.3 : Mr.S.Thiruvengadam

For Respondent No.5 : Mr.R.Bharanitharan

No appearance for the fourth respondent

COMMON ORDER

(Made by the Hon'ble Chief Justice)

We have heard Ms.N.Kavitha Rameshwar, learned counsel for the petitioner, Mr.R.Shunmuganathan, learned Advocate-General for respondents 1 and 2, Mr.S.Thiruvengadam, learned counsel for the third respondent and Mr.R.Bharanitharan, learned counsel for the fifth respondent.

2. The learned Advocate-General has placed on record the Government Order in G.O.Ms.No.506 dated 11.09.2023 whereby rule 4



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of the Special Rules for the Tamil Nadu Legal Educational Service has been amended and the term 'consistent good academic record' has been clarified. The same means that the candidate must have obtained not less than fifty five percentage of marks in Master's Degree Examination.

3. The learned counsel for the petitioner submits that in view of the above Government Order, the purpose of the writ petition stands fructified.

4. In view of the same, the writ petition stands disposed of. There will be no order as to costs. Consequently, WMP Nos.9144, 9145, 9162 and 9163 of 2023 are closed.

(S.V.G., CJ.)

(D.B.C., J.)

02.11.2023

Index : Yes/No
Neutral Citation : Yes/No
tar

To

1.The Principal Secretary to Government,
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2.The Secretary,
Department of Higher Education, Secretariat, Chennai 9

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