



W.P.No.24220 of 2018

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 15.06.2023

CORAM :

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

AND

THE HON'BLE MR.JUSTICE P.D.AUDIKESSAVALU

W.P.No.24220 of 2018

D.Purushothaman

.. Petitioner

Vs.

1. The Secretary
Department of Law
Government of Tamil Nadu
Secretariat, Chennai 600 009.
2. The Director of Legal Studies
Purasaivakkam High Road
Kilpauk, Chennai.
3. The Member Secretary
Teachers Recruitment Board
Government of Tamil Nadu
4th Floor, EVK Sampath Maaligai
DPI Compound, College Road
Chennai 600 006.

.. Respondents

Prayer: Petition filed under Article 226 of the Constitution of India seeking issuance of a writ of declaration, declaring that Rule 4 of the Special Rules for the Tamil Nadu Legal Education service as included as



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Section 33 under part III A of volume II of the Madras Service Manual 1969 insofar as the fixation of age is concerned is ultra vires of Article 14, 15 and 16 of Constitution of India and consequently set aside the Notification No.2/2018 dated 18.07.2018 of the third respondent herein for the direct recruitment of Assistant Professors / Assistant Professors (Pre-Law) in Government Law Colleges – 2017-2018 insofar as the fixation of upper age limit as 45 years as on 01.07.2018 for BC, BC(M), MBC, SC, SC(A), ST and differently abled candidates is confirmed.

For the Petitioner : Mr.G.Purushothaman
For the Respondents : Mr.K.M.D.Muhilan
Additional Govt. Pleader
for R1 & R2

Mr.R.Neelakandan
Additional Advocate General
Assisted by Mr.C.Kathiravan
Standing Counsel
for R3

ORDER

(Order of the court was made by the Hon'ble Chief Justice)
Heard Mr.G.Purushothaman, learned counsel for the petitioner,

Mr.K.M.D.Muhilan, learned Additional Government Pleader for the first and second respondents and Mr.R.Neelakandan, learned Additional Advocate General, assisted by Mr.C.Kathiravan, learned counsel for the third respondent.



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2. It is submitted by learned Additional Advocate General and learned Additional Government Pleader that the Rules have been revisited and fresh Rules have been framed.

3. According to learned counsel for the petitioner, the Rules with regard to age remain the same.

4. Be that as it may. Now, as the Rules have undergone change and the original Rules, as is assailed, do not subsist, the petitioner, if aggrieved, would be required to challenge the new Rules.

5. With these observations, the writ petition is disposed of. There will be no order as to costs.

(S.V.G., CJ.)

(P.D.A., J.)

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Index : Yes/No

Neutral Citation : Yes/No

kpl/drm



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THE HON'BLE CHIEF JUSTICE
AND
P.D.AUDIKESSAVALU, J.

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