



WEB COPY

W.P.No.9151 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.06.2025

CORAM

THE HONOURABLE MRS. JUSTICE J.NISHA BANU

AND

THE HONOURABLE MR. JUSTICE M.JOTHIRAMAN

WP.No.9151 of 2025

and

WMP.Nos.10253 to 10255 of 2025

Elangovan
S/o Rajivel

... Petitioner

Vs.

1. The State rep. by
The Principal secretary,
Government Higher Education Department,
Secretariate,
Chennai - 600 009.

2. The Secretary,
Law Department,
Secretariate,
Chennai - 600 009.

3. The Secretary,
Teachers Recruitment Board,
College Road,
Chennai.

4. The Director of Legal Education,
Directorate of Legal Education,
Kilpauk,
Chennai.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India



W.P.No.9151 of 202:

to issue a Writ of Certiorarified Mandamus to call for the records in G.O.Ms.No.232 relates to Rule 4 b of the impugned amended Adhoc Rules governing the post of Assistant Professor (Pre-Law) in Tamil Nadu Legal Educational Service dated 04.05.2022 issued by the 2nd respondent and subsequent Notification No.1/2025, dated 24.01.2025 published by 3rd respondent and quash the same as illegal and consequently direct the 2nd and 3rd respondents to amend and relax the age criteria.

For Petitioner : Mr.P.Ramkumar Adityan

For Respondents : Mr.Ravichandar
Special Government Pleader
for R1, R2 & R4
Mr.K.Sathish Kumar,
Standing Counsel for R3

ORDER

This Writ Petition has been filed challenging G.O.Ms.No.232 relates to Rule 4 b of the impugned amended Adhoc Rules governing the post of Assistant Professor (Pre-Law) in Tamil Nadu Legal Educational Service dated 04.05.2022 issued by the 2nd respondent and also challenging the subsequent Notification No.1/2025, dated 24.01.2025 published by 3rd respondent and quash the same as illegal and consequently direct the 2nd and 3rd respondents to amend and relax the age criteria.



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3. The issue involved in this writ petition is directly covered by the order passed in W.P.No.5860 & 5165 of 2025 dated 27.02.2025 and the subsequent judgment passed by the Division Bench of this Court in W.A.No.703 of 2025 dtd 12.03.2025. Relevant portion of the judgment passed in W.A.No.703 of 2025 is extracted hereunder :-

"5. While Mr.K.Kannan, learned counsel appearing for the appellant would vehemently urge that the fixation of outer age limit at 40 has to be interfered with as the Dr.Ambedkar Law University has fixed the outer age limit at 57. We do not think, we can entertain such a plea. Fixation of outer age limit for another service is within the powers of the employer and it is for the employer to fix the outer age limit. This court cannot substitute its discretion and relax the age limit unless there is a specific provision for such relaxation in the rules concerned. Moreover, G.O.Ms.No.233, Law (LS) department which re-issues the special rules is not under challenge and those special rules were also framed pursuant to the directions issued by a Division Bench of this Court.

6. Unless the special rules are challenged, the prayer of the petitioner for quashing notification which is issued under the special rules cannot be entertained. Even otherwise, as we have already indicated, this Court cannot interfere in the matter of fixation of age by the employer. If the University in its wisdom choses to



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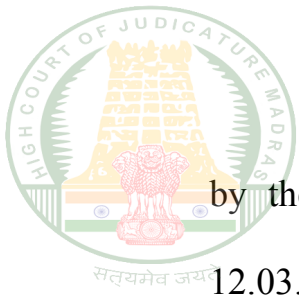
W.P.No.9151 of 202:



accommodate older persons to teach Law, that cannot be a ground to enforce the same wisdom in the Law Department of the Government. We therefore, do not seek any reason to interfere with the order of the Writ Court. This Writ Appeal therefore, fails and is accordingly, dismissed. No costs. Consequently, connected miscellaneous petition is closed."

4. Following the guidelines as stipulated in G.O.Ms.No.233, the Teachers Recruitment Board had prescribed the eligibility criteria with respect to the age of Assistant Professor and Assistant Professor (Pre-law) in Government Law Colleges as 40 years with a possibility of 5 added years depending on the experience obtained in teaching either on part time or on full time in a Law College for a maximum of five years. The appointing authority is the Government and this Court cannot interfere in the matter of fixation of age limit by the employer. It is specifically stated that a candidate should come within the zone of selection list and only when he conforms to the eligible criteria with respect to all aspects including education criteria, age criteria and all other factors he /she will be considered for selection.

5. In light of the above, this Court is of the view that the issue involved in this writ petition is squarely covered by the judgment passed



W.P.No.9151 of 202:

by the Division Bench of this Court in W.A.No.703 of 2025 dated

12.03.2025. Therefore, the Writ Petition stands dismissed. No costs.

WEB COPY

Consequently, connected miscellaneous petitioners are closed.

[J.N.B.,J.] [M.J.R.,J.]
04.06.2025

vsi

Index: Yes/No

Speaking order/Non-speaking order

Neutral Citation: Yes/No

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