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W.A.No.1004 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 03.04.2025

CORAM:

THE HONOURABLE MR.JUSTICE R.SUBRAMANIAN

AND

THE HONOURABLE MR.JUSTICE G.ARUL MURUGAN

W.A.No.1004 of 2025

and

C.M.P.No.8178 of 2025

Dr.M.Satheesh, M.A., M.Phil., Ph.D.,
Guest Lecturer, (Political Science),
Thiruvalluvar Government Arts College,
Rasipuram, Namakkal - 637 401.

... Appellant

Vs.

1.The Teachers Recruitment Board (TRB),
Rep. by its Secretary,
3rd and 4th Floor,
Puratchi Thalaivar Dr. M.G.R. Centenary Building,
Perasiriyar Anbazhagan Kalvi Valagam,
College Road, Nungambakkam,
Chennai - 600 006.

2.The State of Tamil Nadu,
Rep. by its Principal Secretary to Government,
Law Department,
Secretariat, Chennai - 600 009.

3.The Director of Legal Studies,
Purusaivakkam High Road,
Kilpauk, Chennai.

... Respondents



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PRAYER: Writ Appeal filed under Clause 15 of the Letters Patent, praying to set aside the order passed in W.P.No.9314 of 2025, dated 18.03.2025 and thereby allow the Writ Petition as prayed for.

For Appellant : Mr.S.N.Ravichandran

For Respondents : Mr.R.Neelakandan,

Additional Advocate General

Assisted by Mr.K.Sathish Kumar for R1

Mr.D.Ravichander,

Special Government Pleader for R2 and R3

J U D G M E N T

(Judgment of the Court was delivered by ***R.SUBRAMANIAN, J.***)

Challenge in the Writ Petition was to the rejection of the application of the petitioner for the post of Assistant Professor in Political Science in Government Law Colleges in the State.

2. The appellant claims that the rejection was unjust as he would be entitled to relaxation of age limit as per clause 5a(iii) of the notification, since he has worked as guest Lecturer in Tiruvalluvar Government Arts College, Rasipuram, Namakkal District in the Department of Political Science.



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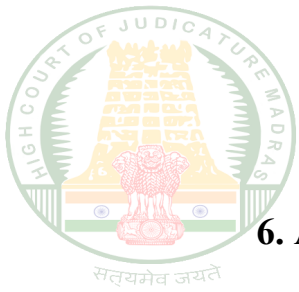
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3. The learned Single Judge had dismissed the Writ Petition on the ground that the notification issued by the appointing Authority will govern the issue and the Court cannot substitute its own opinion to the opinion of the Authority. The writ Court also relied upon the earlier judgments rendered on 27.02.2025 in W.P.Nos.5860 and 5165 of 2025.

4. We have heard Mr.S.N.Ravichandran, learned counsel appearing for the appellant, Mr.R.Neelakandan, learned Additional Advocate General appearing for the 1st respondent and Mr.D.Ravichander, learned Special Government Pleader appearing for the respondents 2 and 3.

5. Clause 5 of the notification dated 24.01.2025 issued by the Teachers Recruitment Board deals with the age limit as on 01.07.2025. While the maximum age limit for the post of Assistant Professor is 40 years as per Clause (ii), Clause (iii) provides for relaxation of age limit and it reads as follows:-

(iii) Further, for appointment to the post of Assistant Professor for each year of service, whether regular or temporary, if need be, in any of the teaching posts in a Law College in the State by a person, the age limit will be increased by one year subject to a maximum of five years.



6. As per Clause (iii) only persons who had worked in a teaching post in a Law College in the State would be entitled to the benefit of clause (iii). The appellant has not served in a Law College. He has served in a Government Arts College. Therefore, he would not be entitled to the benefit of relaxation provided under clause (iii).

7. No doubt, the learned counsel for the appellant would contend that the subject being a non-law subject, the prescription that the person should have taught in Law College is superfluous and any person who has taught in Government Arts College or in other Colleges would also be entitled to age relaxation.

8. We are unable to agree. Fixation of qualifications, age limit as well as the norms for relaxation are within the exclusive domain of the appointing Authority and the Recruiting Agency. This Court cannot interfere in the process, particularly, after the notification had been issued and the appellant's application had been rejected. The fundamental principle of Law that there cannot be a change in the Rule after the game had begun would straight away apply to the case on hand.



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9. We had an occasion to consider a similar matter, wherein, the fixation of age limit itself was questioned. We had by our order dated 14.03.2025 dismissed the appeal after referring to the jurisdiction or the power of the State in matters relating to education as found in Entry 25 of List III of Schedule VII of the Constitution of India.

10. Hence, we see no reason to interfere with the order of the writ Court. Therefore, the Writ Appeal fails and it is accordingly **dismissed**. No costs. Consequently, the connected miscellaneous petition is closed.

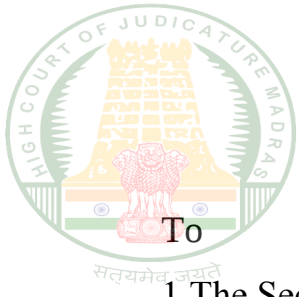
(R.S.M.,J.) (G.A.M.,J.)
03.04.2025

dsa

Index : No

Neutral Citation : No

Speaking order



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To

1. The Secretary,
Teachers Recruitment Board (TRB),
3rd and 4th Floor,
Puratchi Thalaivar Dr. M.G.R. Centenary Building,
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