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W.P.No.28035 of 20..

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 12.02.2025

Coram:

THE HONOURABLE MR.JUSTICE C.SARAVANAN

**W.P.No.28035 of 2014
and M.P.No.1 of 2014**

D.Rajasekaran

...Petitioner

Versus

- 1.The Government of Tamilnadu
Rep. by the Principal Secretary to Government,
Department of Higher Education,
Secretariat, Fort St.George,
Chennai – 600 009.
- 2.Directorate of Technical Education (Dote),
Rep. by the Principal Secretary/Commissioner,
Sardar Patel Road, Guindy,
Chennai – 600 025.
- 3.Teachers Recruitment Board (TRB),
Rep. by the Principal Secretary/Chairman,
4th Floor, EVK Sampath Maaligai,
DPI Compound, College Road,
Chennai – 600 006.

...Respondents

Writ Petition filed under Article 226 of the Constitution of India
praying for issuance of a writ of certiorarified mandamus calling for the
records pertaining to the Advertisement No.03/2014 dated 16.07.2014 for



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the Direct Recruitment of Assistant Professors in Government Engineering Colleges and quash the same in so far the clause pertaining to the requirement of age limits for all the applicants being illegal, arbitrary, discriminatory, without jurisdiction, ultravires, unwarranted and not sustainable in law and contrary to the provisions of Constitution of India and further, directing the respondents to fix the age limits for all the categories of applicants at 57 years of age, as has been fixed in the earlier recruitments for similar posts and also, in the recent recruitment of Lecturers in Govt. Law Colleges.

For Petitioner : Mr.Surendra Kumar
for Mr.T.Sundaranathan

For Respondents – 1 & 2: Mr.R.Kumaravel,
Additional Government Pleader

For Respondent – 3 : Mr.R.Siddharth,
Standing Counsel

ORDER

Today, when this writ petition was taken up for hearing, the learned counsel for the petitioner submitted that he has no instructions from the petitioner as he is unable to contact the petitioner.

2. The learned Additional Government Pleader for the respondents 1 & 2 submitted that the relief sought by the petitioner has become



infructuous in the light of the Government Order in G.O.(Ms).No.157

Higher Education (B1) Department dated 15.09.2014. Operative portion of

the said Government Order reads as under:

“ORDER:

In Rule 4(a) of the adhoc rules for the post of Lecturer (Non-Engineering Subjects) in Government Polytechnics (Men and Women) and Special Diploma Institutions issued in the Government order 1st read above, the maximum age limit for appointment by direct recruitment to the said post has been prescribed as 57 years. In the letter 2nd read above, the Commissioner of Technical Education has requested the Government to issue necessary amendment to the special rules for the Tamil Nadu Educational Services for the post of Assistant Professors (Engineering & Non-Engineering subjects) in Government Engineering Colleges enhancing the maximum age limit to 57 years for the said posts also. In the Government order third read above, a Committee was constituted under the Chairmanship of Commissioner of Technical Education with Vice Chancellor, Anna University, Chennai and Member-Secretary, Tamil Nadu State Council for Higher Education as members to examine the above issue. The Committee in its report dated 05.08.2014, has recommended that 57 years may be followed uniformly as the upper age limit for recruitment in Engineering Colleges and Polytechnic Colleges.

2. The Government after careful consideration have decided to accept the recommendation of the Committee and issue the following amendments to the Special Rules for Tamil Nadu Educational Service governing the post of Assistant Professor in Engineering and Non-Engineering Subjects in Government Engineering Colleges under the control of the Technical Education Department.

3. The following Notification will be published in the Tamil Nadu Government Gazette:-

NOTIFICATION

In exercise of the powers conferred by the proviso to Article 309 of the Constitution of India, the Governor of Tamil Nadu hereby makes the following amendment to the Special Rules for the Tamil Nadu Educational Services (Section 8 in Volume II of the Tamil Nadu Services Manual 1969).



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2. *The amendment hereby made shall be deemed to have come into force on the 1st January 2006.*

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AMENDMENT

In the said Special rules, in rule 5, in sub-rule (a), in the Table in column (2) against the entry “10. Assistant Professors in Engineering Colleges” in column (1), for the expression “Thirty-five years”, the expression “Fifty-Seven Years” shall be substituted.”

3. In the light of G.O.(Ms).No.157 Higher Education (B1) Department dated 15.09.2014 and having regard to the submission made by the learned Additional Government Pleader for the respondents 1 & 2, this Writ Petition is dismissed as infructuous. No costs. Consequently, connected miscellaneous petition is closed.

12.02.2025

mrr

Index : Yes/No



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C.SARAVANAN, J.

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