



W.P No.23066 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 25.06.2025

WEB COPY

CORAM

THE HONOURABLE MR. JUSTICE C.KUMARAPPAN

Writ Petition No.23066 of 2025

and

Writ Miscellaneous Petition Nos.25911, 25914 & 25916 of 2025

Miss. Dhiviya.P

... Petitioner

..Vs..

1.State of Tamil Nadu

Represented by its Principal Secretary to the Government,
Department of Higher Education,
Secretariat, Chennai – 600 009.

2.The Directorate of Art & Culture

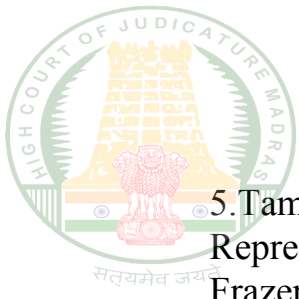
Rep by its Director
Tamil Valarchi Valagam, 2nd Floor,
Tamil Salai, Egmore, Chennai – 600 008.

3.The Tamil Nadu Dr.Jayalalithaa Music and
Fine Arts University

Represented by its Vice Chancellor
Dr.D.G.S.Dinakaran Salai,
R.A.Puram, Chennai – 600 028.

4. Government College of Architecture and Sculpture,

Rep. by its Principal,
Mamallapuram,
Chengalpattu District – 603 104.



W.P No.2306 of 2025

5. Tamil Nadu Public Service Commission,
Represented by its Secretary,
Frazer Bridge Road, V.O.C.Nagar,
Park Town, Chennai – 600 003.

6. Hindu Religious & Charitable Endowments Department,
Rep. by its Commissioner,
No.119, Uthamar Gandhi Salai,
Nungambakkam,
Chennai – 600 034.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying to issue a writ of Certiorarified Mandamus to call for the record connected with impugned Notification in Advertisement No.711 in Notification No.09/2025 dated on 21.05.2025 published by 5th respondent and quash the same so as it excludes Bachelor of Fine Arts in Traditional Painting and consequently directs the 1st and 5th respondent to include Bachelor of Fine Arts in Traditional Painting as one of the required qualifications for the post of Assistant Engineer in post code 3603 and Assistant Sthapathi in Post code 3527 in 6th respondent Department in the light of recommendation made by the 2nd respondent in letter dated 19.06.2025 in Na.Ka.No.2451/A1/2025.

For Petitioner : Mr.S.Jim Raj Milton

For Respondents : Mr.G.Jaya Prakash,
Government Advocate for RR1, 2 & 4

M/s.G.Hema
Standing Counsel for TNPSC for R5

Mr.K.Karthikeyan,
Government Advocate for R6



WEB COPY



W.P No.2306 of 2025

ORDER

The instant writ petition has been filed challenging the impugned Notification dated 21.05.2025.

2. According to the petitioner, though the petitioner is a prospective candidate for the post of Assistant Sthapathi, since because the Degree in Bachelor of Fine Arts in Traditional Painting was not made as a qualification she could not apply for the same. It is the submission of the learned counsel for the petitioner that even the Commissioner, Art and Sculpture Department has sent a letter to the Commissioner, HR & CE Department to include the Degree of Bachelor of Fine Arts and Traditional Painting, but the Notification dated 21.05.2025 does not reflect such qualification. It is the further submission of the learned counsel for the petitioner that having mentioned the Degree of Bachelor of Fine Arts and Traditional Sculpture as a qualification, the UG Degree in Traditional Painting is also equivalent to apply to the post of Assistant Sthapathi.

3. However, the learned Standing Counsel appearing on behalf of the 5th



W.P No.2306 of 2025

WEB COPY

respondent would strongly object the contention of the petitioner and would contend that the Notification dated 21.05.2025 had been issued, based upon the Rules of the user Department and therefore, they can't find any fault with this Notification. Apart from that, it is the prerogative of the employer to decide the qualification and hence under the judicial review, the prospective candidates cannot challenge the same.

4. I am in full agreement with the submissions made by the learned Standing Counsel.

5. Whenever any recruitment process commenced, it is for the employer to choose the qualification of the prospective candidate and this Court by exercising its power of judicial review cannot direct them to fix certain qualification. Therefore, this Court do not find any merits in the writ petition.

6. However, it is stated that the Commissioner, Art and Sculpture Department has already sent a letter to the Commissioner, HR & CE Department vide letter dated 19.06.2025 based upon the request made by the petitioner to include the



W.P No.2306 of 2025

WEB COPY

Degree of Bachelor of Fine Arts and Traditional Painting as the required qualification for the post of Assistant Sthapathi. Therefore, in the interest of justice, this Court deems it appropriate to direct the Commissioner, HR & CE Department to take appropriate decision upon the recommendations of the Commissioner, Art and Sculpture Department, according to its own merits and in accordance with law within a period of eight (8) weeks from the date of receipt of a copy of this order.

7. With the above observations, the Writ Petition stands disposed of. No costs. Consequently, the connected miscellaneous petitions are also stand closed.

25.06.2025

ssi

Index : Yes

Speaking Order : Yes/No

Neutral Citation Case: Yes/No

To:

5/7



W.P No.2306 of 2023

WEB COPY

1.State of Tamil Nadu

Represented by its Principal Secretary to the Government,
Department of Higher Education,
Secretariat, Chennai – 600 009.

2.The Directorate of Art & Culture

Rep by its Director
Tamil Valarchi Valagam, 2nd Floor,
Tamil Salai, Egmore, Chennai – 600 008.

3.The Tamil Nadu Dr.Jayalalithaa Music and
Fine Arts University

Represented by its Vice Chancellor
Dr.D.G.S.Dinakaran Salai,
R.A.Puram, Chennai – 600 028.

4. Government College of Architecture and Sculpture,

Rep. by its Principal,
Mamallapuram,
Chengalpattu District – 603 104.

5.Tamil Nadu Public Service Commission,

Represented by its Secretary,
Frazer Bridge Road, V.O.C.Nagar,
Park Town, Chennai – 600 003.

6.Hindu Religious & Charitable Endowments Department,

Rep. by its Commissioner,
No.119, Uthamar Gandhi Salai,
Nungambakkam,
Chennai – 600 034.

C. KUMARAPPAN, J.



WEB COPY



W.P.No.23066 of 2025

SSI

W.P.No.23066 of 2025

25.06.2025