

W.P(MD)No.7494 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 16.06.2025

CORAM:

**THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM
AND
THE HONOURABLE DR.JUSTICE A.D.MARIA CLETE**

**W.P(MD)No.7494 of 2025
and
W.M.P.(MD) No.5647 of 2025**

C. Loganathan

... Petitioner

Vs

1. The State Represented by The,
Chief Secretary, Secretariat
St. George Fort,
Chennai - 600 009.

2. The Secretary to Government,
(Legal Affairs), Law Department,



W.P(MD)No.7494 of 2025

Secretariate,

Chennai 600 009.

3. The Secretary,

Teachers Recruitment Board,

College Road,

Chennai.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Declaration, to declare the impugned amended Tamil Nadu Legal Educational Service Rule vide G.O.Ms.No.233 Law (LS), dated 11.04.2022 issued by the second respondent as ultra vires and unconstitutional and to cancel the subsequent Notification No. 1/2025, dated 24.01.2025 published by the second respondent and consequently directing the 2nd and 3rd respondents to issue fresh Legal Educational Services Rules and Notification by adhering the provisions of Constitution of India and Tamil Nadu Government Servants (Conditions of Service) Act, 2016.



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For Petitioner : Mr.Sankar.S,
For Respondent : Mr.J.Ashok (R1 & R2)
Additional Government Pleader
: Mr.T.Amjad Khan (R3)
Standing Counsel

ORDER

[Order of the Court was made by S.M.SUBRAMANIAM, J.]

The issues raised in the present writ petition are no *res integra*.

2.The Hon'ble Division Bench of this Court has passed an order in W.P(MD)No.11390 of 2025, dated 22.04.2025. The relevant paragraph of the order reads as under:

"2.When the matter was taken up for hearing today, the learned counsel appearing for the fifth respondent submitted that the issue involved in this Writ Petition is squarely covered by the Judgment of the Division Bench of the Principal Seat in W.A.No.1004 of 2025, dated 03.04.2025 (M.Satheesh Vs. The Teachers Recruitment Board (TRB) and others) and accordingly, prayed for a similar order to be passed in this Writ Petition also.

3.In W.A.No.1004 of 2025, dated 03.04.2025



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(M.Satheesh Vs. The Teachers Recruitment Board (TRB) and others), the Division Bench of the Principal Seat held as follows:

“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.



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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.

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."

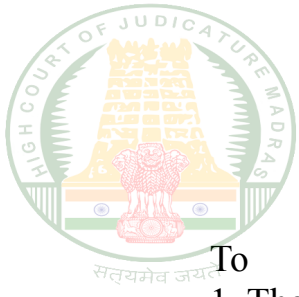
4.Following the aforesaid Judgment, this Writ Petition is dismissed. However, there shall be no order as to costs. Consequently, connected Miscellaneous Petition is closed. "

3.Accordingly, the writ petition stands disposed of. There shall be no order as to costs. Consequently, the connected miscellaneous petition is closed.

[S.M.S., J.] [A.D.M.C., J.]
16.06.2025

Index: Yes/No
Internet: Yes/No
NCC: Yes/No

LR



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To

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