



W.P(MD)No.11346 of 2025

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 22.04.2025

CORAM:

**THE HONOURABLE MRS.JUSTICE J.NISHA BANU
and
THE HONOURABLE MRS.JUSTICE S.SRIMATHY**

**W.P(MD)No.11346 of 2025
and
W.M.P(MD)No.8431 of 2025**

I.Perumal

... Petitioner

vs.

**1.The Government of Tamil Nadu,
Represented by its Principal Secretary,
Secretariat,
St. George Fort,
Chennai – 600 009.**

**2.Higher Education Department,
Represented by its Secretary,
Secretariat,
St. George Fort,
Chennai – 600 009.**

**3.Law Department,
Represented by its Secretary,
Secretariat,
St. George Fort,
Chennai.**



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4.The Director of Legal Education Office,
Purasaivakkam High Road,
Kelpauk,
Chennai.

5.The Member Secretary,
Teachers Recruitment Board,
4th Floor, EVK Sampath Palace,
DPI Campus, College Road,
Chennai – 600 006.

6.The Registrar Tamil Nadu Dr.Ambedkar Law University,
Peungudi Campus,
M.G.R. Road,
Near Taramani Railway Station,
Chennai – 600 113.

... Respondents

PRAYER : Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Declaration to declare that the third respondent's amendment G.O(Ms)No.233, dated 11.04.2022 are null and void and consequential the fifth respondent impugned Notification 01/2025 dated 24.01.2025 class 5(ii) “fixing the age criteria as if he/she has completed the age of 40 years as on 01.07.2025”, condition classes are declared as null and void against the petitioner and directing the 3 to 5 respondents to accept the petitioner's offline application dated 17.03.2025 for fifth respondent notification 01/2025 dated 24.01.2025 basis appointment of Assistant Professor in Pre-Law post in Political Science subject.



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For Petitioner : Mr.M.Venkatesan
For RR 1 to 4 : Mr.J.Ashok
Additional Government Pleader
For R – 5 : Mr.VR.Shanmuganathan
For R – 6 : Mr.B.Brijesh Kishore

ORDER

(Order of the Court was made by J. NISHA BANU, J.)

The petitioner has filed the present Writ Petition seeking a Declaration that the amendment made by the third respondent in G.O(Ms)No.233, dated 11.04.2022, is null and void. Consequently, the petitioner also challenges the impugned Notification No.01/2025 dated 24.01.2025 issued by the fifth respondent, specifically Clause 5(ii), which stipulates that candidates must have completed 40 years of age as on 01.07.2025”. The petitioner seeks to have these conditions declared null and void as against the petitioner and to direct the respondents 3 to 5 to accept the petitioner's offline application dated 17.03.2025 submitted in response to Notification No.01/2025 dated 24.01.2025 for the post of Assistant Professor (Pre-Law) in the subject of Political Science subject.



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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 (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.



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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.*

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*



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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.

[J.N.B.,J.] & [S.S.Y.,J.]
22.04.2025

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

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Chennai – 600 009.
- 2.Higher Education Department,
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- 3.Law Department,
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- 4.The Director of Legal Education Office,
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ORDER MADE IN
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