



W.P.(MD)No.24257 of 2022

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 05.11.2025

CORAM

THE HON'BLE MR.JUSTICE ABDUL QUDDHOSE

W.P.(MD)No.24257 of 2022

and

W.M.P.(MD)Nos.18364 & 23273 of 2022

K.Hemalatha

: Petitioner

Vs.

1.The Principal Secretary,

Department of Adi Dravidar and Tribal Welfare,
Government of Tamil Nadu,
Secretariat,
Chennai – 600 009.

2.The Commissioner,

Adi Dravidar Welfare Officer,
Cheppakkam,
Chennai – 600 005.

3.The District Adi Dravidar and Tribal Welfare Officer,

Thiruchirappalli,
Thiruchirappalli District.

: Respondents



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PRAYER: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, calling for the records relating to the impugned proceedings of the 2nd respondent in Na.Ka.Tha2/0950/2020 dated 26.05.2020 and the consequential impugned proceedings of the third respondent in Na.Ka.No.W4/12539/2022 dated 20.09.2022 and quash the same as illegal and consequently direct the 2nd and 3rd respondents to reinstate me in the service with all benefits.

For Petitioner : Mr.M.Jerin Mathew

For Respondents : Mr.C.Satheesh

Government Advocate

ORDER

This Writ Petition has been filed by the petitioner challenging the impugned order passed by the respondents, removing the petitioner from service.

2.In this Writ Petition, the petitioner had applied to the post of Cook when she had crossed the age of 35 years. The petitioner is admittedly aged above 35 years. The issue whether persons who are aged more than 35 years are eligible to be appointed as Cook in



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respect of the very same recruitment notification was also the subject matter of consideration by the Division Bench of this Court in a batch of Writ Appeals namely ***W.A.(MD)Nos.1562 of 2023 etc., batch*** in the case of ***the Commissioner, Adi Dravidar Welfare Department and others Vs. S.Sathish Kumar***. By judgment dated ***29.11.2023***, the Division Bench has held appointment of over-aged candidates are directly in violation of Rule 5(1) of the Special Rules for Tamil Nadu Basic Service and the recruitment notification issued by the competent authorities. The Division Bench has held that once the Special Rules and the recruitment notification unambiguously stipulate that the age limit for general category candidates is 30 years and for SC / ST candidates 35 years, the selection of the candidates over and above the age limit fixed under the recruitment notification is directly in violation of the Special Rules and the recruitment notification and it cannot be sustained. Hence, the Division Bench held that the selection of over-aged candidates is in violation of the recruitment notification and therefore, the same is illegal.

3.In view of the decision rendered by the Division Bench of this Court which applies to the case of the petitioner, who is also over-aged, this Writ Petition has to be dismissed.



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4. Accordingly, this Writ Petition stands dismissed. There shall be no order as to costs. Consequently, connected miscellaneous petitions are closed.

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



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To

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ABDUL QUDDHOSE., J.

MR

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