



WP.(MD)Nos.1349 & 775 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 28.01.2026

CORAM :

THE HON`BLE MR.JUSTICE B.PUGALENDHI

WP.(MD)Nos.1349 & 775 of 2026

and

WMP.(MD)Nos.1071, 1072, 1073, 638, 639 & 640 of 2026

WP.(MD)No.1349 of 2026

Raja

... Petitioner

Vs.

1.The Government of Tamilnadu,
Rep. by its Secretary to Government,
Transport Department,
Secretariat, Chennai-600009.

2.The Director,
Institute of Road Transport (IRT),
Tharamani, Chennai-600113.

3.The Managing Director,
Tamil Nadu State Transport Corporation (Kumba) Ltd.,
Kumbakonam, Thanjavur District.

4.The General Manager,
Tamil Nadu State Transport Corporation (Kumba) Ltd.,
Periyamilaguparai, Trichy Region,
Tiruchirappalli District.

... Respondents



WP.(MD)Nos.1349 & 775 of 2026

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying for the issuance of Writ of Certiorarified Mandamus, to call for the records relating to the impugned order in No.1/SaPoNi/2025 dated 20.03.2025 issued by the second respondent and quash the same and consequently direct the respondents to process the candidature of the petitioner and appoint the petitioner to the post of Driver-cum-Conductor based on the valid HMV Transport License and experience certificate without insisting illegal and discriminatory conditions.

For Petitioner : Mr.N.Sudhagar Nagaraj

For R1 : Mr.C.Venkatesh Kumar,
Special Government Pleader.

For R2 : Mr.Ajmal Khan,
Additional Advocate General
assisted by Mr.S.C.Herold Singh

For R3 & R4 : Mr.K.Ramaiah

WP.(MD)No.775 of 2026

Raja

... Petitioner

Vs.

1.The Government of Tamilnadu,
Rep. by its Secretary to Government,
Transport Department,
Secretariat, Chennai-600009.



WP.(MD)Nos.1349 & 775 of 2026

2.The Director,
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Tharamani, Chennai-600113.

3.The Managing Director,
Tamil Nadu State Transport Corporation (Kumba) Ltd.,
Kumbakonam, Thanjavur District.

4.The General Manager,
Tamil Nadu State Transport Corporation (Kumba) Ltd.,
Periyamilaguparai, Trichy Region,
Tiruchirappalli District.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying for the issuance of Writ of Certiorarified Mandamus, to call for the records relating to the impugned order in Letter No.ThapoKa/Kumba/Trichy/PaPi, Pi2/162/2025 dated 11.09.2025 issued by the fourth respondent and quash the same and consequently direct the respondents to consider and appoint the petitioner to the post of Driver-cum-Conductor based on the valid HMV Transport License and experience certificate without insisting illegal and discriminatory conditions mentioned in para 4(E).

For Petitioner : Mr.N.Sudhagar Nagaraj

For R1 : Mr.G.V.Vairam Santhosh,
Additional Government Pleader.



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For R2 : Mr.Ajmal Khan,
Additional Advocate General
assisted by Mr.S.C.Herold Singh

For R3 & R4 : Mr.K.Ramaiah

COMMON ORDER

The petitioner has applied for the post of Driver-cum-Conductor pursuant to the notification issued by the respondents on 20.03.2025. The petitioner has successfully cleared the written examination and he was called for certificate verification. However, his candidature was rejected that he does not have the special qualification, viz, 18 months' experience, as required in the notification dated 20.03.2025. Aggrieved, the petitioner has filed WP.(MD)No.775 of 2026 that there cannot be a special qualification other than the qualification prescribed under the Motors Vehicles Act. According to the petitioner, the Motors Vehicles Act prescribes an age qualification alone and there is no



other qualification prescribed under the Motors Vehicles Act.

Therefore, the respondents are not justified in rejecting his candidature by prescribing certain other qualification.

2.The learned Additional Advocate General appearing for the second respondent has pointed out that the petitioner, who has participated in the selection process pursuant to the notification dated 20.03.2025 has filed the writ petition, without even questioning the special qualification prescribed in the notification. The learned Additional Advocate General has pointed out that this special qualification of 18 months' experience with heavy vehicle license as on 01.01.2025 has not been challenged by this petitioner.

3.In view of the above submissions made by the learned Additional Advocate General, the petitioner has filed the subsequent writ petition in WP.(MD)No.1349 of 2026 challenging the notification dated 20.03.2025.



4.Clause 8 of the notification prescribe the following conditions:-

i)Candidates must possess an admissible heavy vehicle license,

ii)an experience of heavy vehicle driving for a period of 18 months along with first aid certificate and a batch for public vehicle driving along with a conductor licence as on 01.01.2025.

5.The learned counsel appearing for the petitioner submits that the petitioner has obtained the conductor licence as on 31.12.2017. He is having a heavy vehicle licence, however, it has been obtained only on 08.08.2025. There cannot be any conditions that the heavy vehicle license has to be obtained on or before 01.01.2025 and therefore, the respondents are not justified in not considering the application of the petitioner.

6.The learned Additional Advocate General by referring to the notification dated 20.03.2025 submits that the petitioner is not



having the prescribed special qualification as mentioned in the notification. The petitioner is not having the experience of 18 months driving with heavy vehicle. Since he has obtained the heavy vehicle license only on 08.08.2025 after issuance of notification, the petitioner is not eligible for appointment as per notification dated 20.03.2025.

7.The Additional Advocate General by referring to the judgment of the Hon'ble Supreme Court in *Zahoor Ahmad Rather vs Sheikh Imtiyaz Ahmad* reported in (2019) 2 SCC 404 submits that the State as an employer is entitled to prescribe qualification as a condition of the eligibility. The prescription of qualification for a post is a matter of recruitment policy.

8.The learned Additional Advocate General by referring to the judgment of the Hon'ble Supreme Court in *Madras Institute of Development Studies and another Vs. K.Sivasubramaniyan and others* reported in (2016) 1 SCC 454 submits that the



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petitioner, who participated in the selection process pursuant to the notification, is not supposed to question the notification.

9.This Court has considered the submissions made on either side and perused the available materials in the record.

10.Admittedly, the petitioner is not having the prescribed qualification of experience in heavy vehicle driving for a period of 18 months. The respondent/Employer is entitled to prescribe the qualification. Since the petitioner is not having the required qualification, as per the dictum laid down by the Hon'ble Supreme Court, this Court is not inclined to entertain these writ petitions. Accordingly, these writ petitions are dismissed. No costs. Consequently, connected miscellaneous petitions are closed.

28.01.2026

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

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B.PUGALENDHI,J

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