



WEB COPY



W.P.NO.10513 OF 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 17.07.2026

CORAM

**THE HON'BLE MR.JUSTICE S.M.SUBRAMANIAM
AND
THE HON'BLE MR.JUSTICE N.SENTHILKUMAR**

**W.P. NO.10513 OF 2026
AND
W.M.P. NO.11376 OF 2026**

1. Union of India,
Rep. by the Government of Puducherry
through the Secretary to Government
for Department of Personnel and
Administrative Reforms,
Chief Secretariat, Puducherry.
2. The Director of School Education
Education Department,
Puducherry.

... Petitioners

Vs.

V.Mourthy

... Respondent

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Certiorari, to call for the records pertaining to the Order passed in O.A.No.310/521/2019, dated 25.07.2023 on the file of the Hon'ble Central Administrative Tribunal, Chennai Bench and quash the same.



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For Petitioners : Mr.R.Syed Mustafa
Special Government Pleader
(Puducherry)

For Respondent : No appearance

ORDER

(Order of the Court was made by S.M.Subramaniam J.)

The order of Central Administrative Tribunal (CAT), Chennai Bench dated 25.07.2023 passed in O.A.No.310/521/2019 is under challenge in this writ petition.

2.Union of India preferred the present writ petition, challenging the order of CAT, mainly on the ground that services of Co-Terminus has been terminated on expiry of term of Authority, who engaged the Co-Terminal employee.

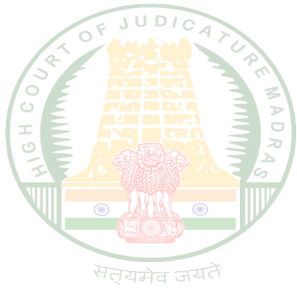
3.Respondent admittedly was engaged as Co-Terminus employee. On the expiry of term of his employer from the post, his services also expired. However, he has approached CAT, seeking regularization of his service. Admittedly, Co-Terminus employees are appointed at the choice of Authorities and no recruitment process has been undertaken. The Authority at his wish appoints a Co-Terminus and



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their appointment stands terminated on expiry of their term of office. The claim of respondent for regularization since rejected by Government, Original Application has been filed before Tribunal. CAT passed an order, directing the respondents to verify the factual aspect and if it is found that applicant is still in service, they may examine his case for regularization in the light of the order passed by this Court in W.P.No.12700 of 2012 and pass appropriate orders within a period of three months.

4.The impugned order of CAT lost its relevance on account of the fact that respondent / Co-Terminus was already terminated from service by the Authority vide proceedings dated 05.07.2018. The said fact was not brought to the notice of CAT at the time of final hearing of the application. Therefore, CAT directed Government to examine the case. Since the order of termination remains unchallenged, re-examination of the case of respondent would not arise at all. CAT also states that if at all respondent continue to be in service, then alone his case has to be considered. But he was terminated on 05.07.2018 itself and the order of termination also became final. That being the factum, CAT order impugned in O.A.No.310/521/2019 dated 25.07.2023 is set aside.



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5. Consequently, the present Writ Petition is allowed.

Connected Writ Miscellaneous Petition is closed. However, there shall be no order as to costs.

[S.M.S., J.]

[N.S., J.]

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Index : Yes
Speaking Order : Yes
Neutral Citation : Yes / No
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AND

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