



WEB COPY



WP NO.8906 OF 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 21.07.2026

CORAM

**THE HONOURABLE MR. JUSTICE S.M.SUBRAMANIAM
AND
THE HONOURABLE MR. JUSTICE N. SENTHILKUMAR**

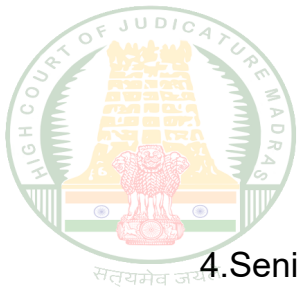
**W.P.NO.8906 OF 2024
AND
WMP NO.9917 OF 2024**

Sakthivelu, V.

... Petitioner

Vs.

- 1.Union of India
Represented by the Secretary
Department of Health and Family Welfare
Ministry of Health and Family Welfare
Government of India
Niraman Bhavan, New Delhi – 110 011.
- 2.Jawaharlal Institute of Postgraduate Medical
Education and Research
Represented by its Director
JIPMER Campus Road,
Gorimedu, Dhanvantari Nagar,
Puducherry – 605 006.
- 3.The Deputy Director (Administration)
Administration – I (Rect. Cell)
Jawaharlal Institute of Postgraduate Medical
Education and Research
Admn. Block, JIPMER Campus Road,
Gorimedu, Dhanvantari Nagar,
Puducherry – 605 006.



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4.Senior Administrative Officer
Jawaharlal Institute of Postgraduate Medical
Education and Research
Admn. Block, JIPMER Campus Road,
Gorimedu, Dhanvantari Nagar,
Puducherry – 605 006.

5.The Registrar
Central Administrative Tribunal
High Court Compound,
Chennai – 600 104.

6.Sathesh Vayalil ... Respondents

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 dated 19.10.2023 in O.A.No.632 of 2023 passed by the 5th respondent Tribunal and quash the same.

For Petitioner	:	Mr.R.Syed Mustafa
For Respondent - 1	:	Mr.K.Ramamoorthy (CGSC)
For Respondents - 2 to 4:		Mr.M.T.Arunan
For Respondent - 5	:	Tribunal (CAT)
For Respondent - 6	:	No appearance

ORDER

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

Writ petition on hand has been instituted challenging the order of the Central Administrative Tribunal, Chennai Bench, dated 19.10.2023 passed in O.A.No.632 of 2023. The writ petitioner was not a party before the Central Administrative Tribunal. He was selected and



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appointed to the post of Junior Administrative Assistant and joined duty on 29.08.2023. The sixth respondent who participated in the process of selection to the post of Junior Administrative Assistant filed the Original Application, which came to be allowed, which resulted in filing of the present writ petition by the selected candidate / writ petitioner.

2.Pursuant to the recruitment notification for selection to the post of Junior Administrative Assistant, the writ petitioner as well as the sixth respondent, along with other candidates participated in the process. Two posts were allotted under the Sports Quota. There is no dispute with respect to the candidates selected against the first post. As regards the second post, it is submitted that the sixth respondent secured two gold medals and, therefore, he should have been selected and appointed.

3.The medals secured by the writ petitioner, viz., Sakthivelu, V., are as follows:

“SAKTHIVELU, V.

Inter-National Medal Senior / Junior - 1

Details of the performance

*Gold Medal in Asian tennis ball cricket championship 2023
held at Nepal”*



4.The medals secured by the sixth respondent are as

follows:

“SATHESH V.

Inter-National Medal Senior / Junior - 2

National Medal Senior – 1

National Participation Senior – 6

Details of the performance

1.Gold Medal in 7th South Asian Atya Patya 2022 held in Nepal

2.Gold Medal in 5th Atya Patya Championship 2019 held in Bhutan

3.Silver Medal in 33rd Men Senior National Atya Patya Championship held at Karnataka 2018-19

4.Participated in 22nd Men’s Senior National Atya Patya Championship 2007 held at Punjab

5.Participated in 21st Men’s Senior National Atya Patya Championship 2006 held at Dehradun

6.Participated in 23rd Men’s Senior National Atya Patya Championship 2008 held at Maharashtra

7.Participated in 24th Men’s Senior National Atya Patya Championship 2010 held at Puducherry

8.Participated in 25th Men’s Senior National Atya Patya Championship 2011 held at Thane

9.Participated in 30th Men’s Senior National Atya Patya Championship 2016 held at Indore”



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5.The Authorities have considered the nature of the Gold Medals secured by the writ petitioner and the sixth respondent. They arrived at the conclusion that the writ petitioner had participated in the Asian Tennis wherein all Asian countries participated. However, insofar as the sixth respondent is concerned, he participated in the South Asian competition, which was conducted between two countries. The relative merits of the medals secured by these candidates were assessed by the Selection Authorities. In this regard, respondents 2 and 4 filed counter affidavit. Para 8 of the counter affidavit, reads as under:

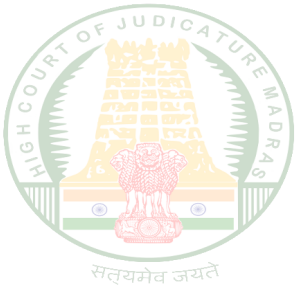
“8.It is submitted that international sports events are governed by a recognized hierarchy, wherein the Asian Championship ranks above the South Asian Championship, and the Expert Committee has rightly followed this hierarchy in assessing merit; hence, the averments are correct and justified. The Government policies, including those of the Ministry of Home Affairs, clearly establish grading and weightage for sports achievements, which support the methodology adopted by the Respondents. The higher-level participation ought to be accorded preference over lower-level achievements, and the selection process ensured a rational classification devoid of arbitrariness; hence, the averments are supported.”



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6.Pertinently, the authorities considered both the participation of the candidates in the sporting events and the medals secured by them. An Expert Committee was constituted to assess the relative merits of the medals, and it recommended the case of the writ petitioner for selection. Therefore, this Court is not expected to substitute its own view for that of the Expert Committee.

7.The Tribunal has considered the number of Medals secured by the sixth respondent and issued a direction to select the sixth respondent. However, the Expert Committee formed the opinion that it is not merely the number of medals secured, but the candidate who secured medals of the highest merit was considered for selection. That apart, the writ petitioner was not impleaded in the Original Application filed by the sixth respondent herein. Thus, the Tribunal had no occasion to consider the nature and relative merit of the gold medals secured by the writ petitioner. More so, the writ petitioner was selected and appointed on 29.08.2023 and serving for the past about three years. For all these reasons, the order passed by the Central Administrative Tribunal cannot be sustained.



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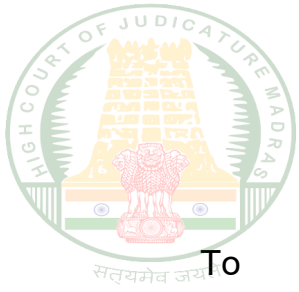
8. With the above observations, the order dated 19.10.2023 passed in O.A.No.632 of 2023 by the Central Administrative Tribunal, Chennai Bench, Chennai is set aside and the writ petition stands allowed. However, there shall be no order as to costs. Consequently, connected miscellaneous petition is closed.

[S.M.S., J.]

[N.S., J.]

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



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