

WEB COPY

WP No. 22108 of 2026 & batch

IN THE HIGH COURT OF JUDICATURE AT MADRAS

**DATED: 22-07-2026**

CORAM

**THE HON'BLE MR JUSTICE S. M. SUBRAMANIAM**

**AND**

**THE HON'BLE MR.JUSTICE N.SENTHILKUMAR**

**WP No. 22108 of 2026, WP No. 22116 of 2026, WP No. 22122 of 2026,  
WP No. 22135 of 2026, WP No. 22139 of 2026, WP No. 22152 of 2026,  
WP No. 23330 of 2026, WP No. 23338 of 2026, WP No. 23344 of 2026,  
WP No. 23346 of 2026, WP No. 23349 of 2026, WP No. 23512 of 2026,  
WP No. 23517 of 2026, WP No. 23526 of 2026, WP No. 23533 of 2026,  
WP No. 48804 of 2025, WP No. 48799 of 2025, WP No. 48927 of 2025,  
WP No. 48956 of 2025, WP No. 49227 of 2025**

**AND**

**WMP No. 4519 to 4522 of 2026**

**WMP No. 14627 of 2026, WMP No. 24007 of 2026,  
WMP No. 24003 of 2026, WMP No. 24038 of 2026,  
WMP No. 24011 of 2026, WMP No. 24031 of 2026,  
WMP No. 24021 of 2026, WMP No. 25306 of 2026,  
WMP No. 25305 of 2026, WMP No. 25308 of 2026,  
WMP No. 25295 of 2026, WMP No. 25303 of 2026,  
WMP No. 25496 of 2026, WMP No. 25488 of 2026,  
WMP No. 25508 of 2026, WMP No. 25504 of 2026,  
WMP No. 54997 of 2025, WMP No. 54487 of 2025,  
WMP No. 54491 of 2025, WMP No. 54723 of 2025,  
& WMP No. 54649 of 2025**

**WP No. 22108 of 2026**

1. Union of India

Through the Government of Pondicherry  
Rep. by its Secretary to Government,  
Department of Revenue and Disaster  
Management, (Survey and Settlement)  
Puducherry.



WEB COPY

2. The Director, Directorate of Survey and  
Land Records,  
Puducherry

..Petitioner(s)

Vs

Ajithkumar R,  
S/o. S Ramesh,  
No. 19 Thamarai Kula Street,  
Bahour, Puducherry 607 402

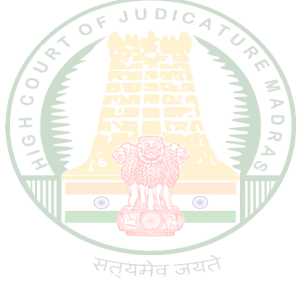
..Respondent(s)

Prayer in W.P.No.22108 of 2026: Petition filed under Article 226 of Constitution of India for issuance of writ of certiorari to call for the records of the Common Order in OA.No.310/001511 of 2024, dated 28.07.2025 of the Central Administrative Tribunal, Chennai Bench and to quash the same.

For Petitioner(s): Mr.R.Syed Mustafa,  
Special Government Pleader, Puducherry  
(in all cases)

For Respondent(s): Respondent Not Ready in Notice  
(W.P.No.22108 of 2026)  
(WP No. 22116 of 2026)

No Appearance  
(WP No. 22122 of 2026)  
(WP No. 22139 of 2026)  
(WP No. 22152 of 2026)  
(WP No. 23330 of 2026)



WEB COPY

WP No. 22108 of 2026 & batch

(WP No. 23338 of 2026)  
(WP No. 23346 of 2026)  
(WP No. 23517 of 2026)  
(WP No. 23526 of 2026)  
(WP No. 23533 of 2026)

Mr.D.Ravichander  
for Sobia.B  
(WP No. 22135 of 2026)

Mr.S.Ravindran  
Senior Counsel  
for Mr.C.Prem Kumar & Mr.T.Ashok Raj  
(for R1 to R3)  
(WP No. 23344 of 2026)

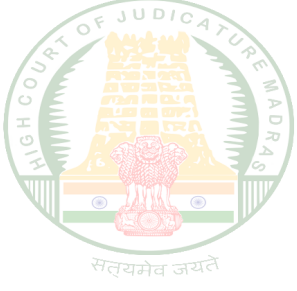
Mr.Karthik Rajan  
for M/s.Menon, Karthik, Mukundan  
and Neelakantan  
(WP No. 23349 of 2026)

Mr.S.Mukund  
Senior Counsel  
for Mr.S.Kishore Kumar  
(WP No. 23512 of 2026)

Mr.J.Srinivasa Mohan  
for M/S.TVJ Associates for R1,  
Mr.Prakash Adiapadam for R2 to R4  
(WP No. 48804 of 2025)

No Appearance for R1  
Mr.Prakash Adiapadam for R2 to R4  
(WP No. 48799 of 2025)

Mr.R.Saravanan (for R1 & R2)  
Mr.Prakash Adiapadam (for R3 to R5)  
(WP No. 48927 of 2025)



WEB COPY



WP No. 22108 of 2026 & batch

Mr.J.Srinivasa Mohan for R1  
for M/sTVJ Associates  
Mr.Prakash Adiapadam for R2 to R4  
(WP No. 48956 of 2025)

Mr.Karthik Rajan for  
M/s.Menon, Karthik, Mukundan  
and Neelakantan  
(WP No. 49227 of 2025)

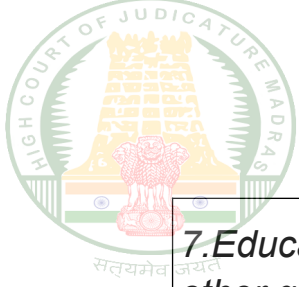
### **COMMON ORDER**

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

Under assail is the common judgment delivered by the Central Administrative Tribunal, Chennai Bench (hereinafter referred to as “CAT”) dated 28.07.2025 in a batch of Original Applications.

#### **I.Factual Matrix:**

2.Recruitment rules for the post of Field Surveyor was issued by the Government of Puducherry, Department of Revenue and Disaster Management (Survey and Settlement) in G.O.Ms.No.5 of 2013 dated 10.09.2013. The educational qualification for direct recruitment to the post of Field Surveyor as per the rules, are as under:



**7. Educational and other qualifications required for direct recruits:**

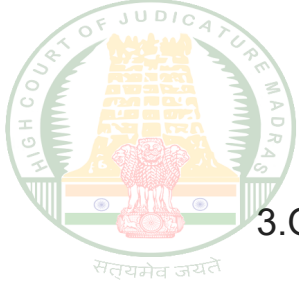
*(i) S.S.L.C or its equivalent from a recognised Board of Education with National Trade Certificate issued by the National Council for Training in Vocational Trades in the trade of Draughtsman (Civil)*

*(OR)*

*Higher Secondary with general Mathematics as one of the subject; and*

*(ii) Minimum qualification of pass in Certificate Course in Autocad (Civil) conducted by a Government recognised institution.*

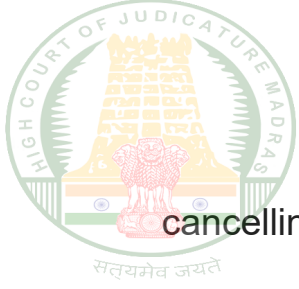
Recruitment notification was issued on 15.09.2015 for filling up of 16 posts of Field Surveyor. The recruitment was not proceeded with due to administrative reasons and was cancelled. A fresh notification was issued to fill 27 posts of Field Surveyor on 20.12.2022 and the educational and other qualifications for direct recruitment as prescribed under 2013 rules are notified as an essential qualification. Common written examination was held on 03.12.2023 for the post of Field Surveyor and Draughtsman. However, the issue raised in the batch of writ petitions is only to the post of Field Surveyor and therefore, this Court is not inclined to discuss about the Draughtsman category.



3. On 06.12.2023 results were declared. Selected candidates were called for certificate verification. However, the authorities after certificate verification found that none of the candidates possessed the requisite qualification of AutoCAD (Civil) Certificate from a Government recognized Institution as contemplated under the rules and notified in the recruitment notification. Since none of the candidates are qualified for appointment to the post of Field Surveyor, the selection of the candidates was cancelled. Challenging the cancellation of selection the Original Applications were filed before the CAT, which allowed, resulting in filing of present Writ Petitions by the Union of India.

## **II. Contentions of the Writ Petitioners:**

4. The recruitment to the post of Field Surveyor was notified as per the recruitment rules governing the post as well as the selection. The Government cannot be held responsible regarding the candidates who do not possess the requisite qualifications as per the service rules and the notification. The expectation of the candidates regarding relaxation of rules by the Government is presumptive and no such promise or assurance was given to such candidates. The parent department before



cancelling the selection, sought for opinion of the General Administrative Department and Law Department as to whether the certificate produced by provisionally selected candidates can be considered. Both the departments have opined that appointments cannot be made in a way contrary to the statutory rules as per the judgment of the Apex Court ***State of Gujarat and Others Vs. Arvindkumar T.Tiwari and another***<sup>1</sup>. Thus, the selection was cancelled.

5.The learned standing counsel for the petitioner has also relied on the judgment in the case of ***Dr.Ami Lal Bhat Vs. State of Rajasthan*** <sup>2</sup>.

### III.Contentions of the respondents:

6.The respective learned senior counsels as well as the learned counsels appearing on behalf of the respondents would mainly contend that when the qualification prescribed under the rules as well as under the notification became impossible for performance. Thus the candidates cannot be held responsible and the only way out is to ignore the qualifications or relax the same as the case may be for the benefit of

---

<sup>1</sup> 2012 (9) Supreme Court Cases 545

<sup>2</sup> 1997 (6) SCC 614

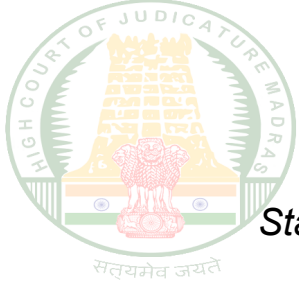


the selected candidates participated in the process of selection. The Certificate course in AutoCAD (Civil) is not available in any of the Government recognized Institutions and therefore, none of the candidates possessed the certificates. However, the AutoCAD (Civil) qualification is possessed by the candidates from private Institutions. Therefore, the Government ought to have considered the situation and issued an order of appointment based on the selection list as one time measure, which was not done. The principle of legitimate expectation is to be applied in the present case, since the candidates though possess the qualification, but not from a Government recognized Institution. In support, the respondents relied on the judgment of the Hon'ble Supreme Court of India in the case of **Laxmikant Sharma Vs. State of Madhya Pradesh & others**<sup>3</sup> and they relied on paragraph 31, which reads as under:

*“31. It is not disputed that the advertisement prescribed as the minimum academic qualification a “Postgraduate degree in Statistics from a Government recognised University with at least 60% marks or equivalent grade.” The appellant asserted that he had pursued M.Com. with Business*

---

<sup>3</sup> 2025 LiveLaw (SC) 1174



WEB COPY

*Statistics and Indian Economic Statistics as principal subjects and that this satisfies the academic qualification requirement of the post. The appellant further assured, which is not disputed by the respondents, that no Government university in Madhya Pradesh offers a postgraduate course titled “M.Com (Statistics)” or any standalone PG programme exclusively titled “Statistics”.*

7. In the case of ***Direct recruit Class II Engineering Officers’ Association Vs State of Maharashtra***<sup>4</sup>, the constitution bench of the Apex Court in paragraph 23 held as follows:

*“23. Mr Tarkunde is right that the rules fixing the quota of the appointees from two sources are meant to be followed. But if it becomes impractical to act upon it, it is no use insisting that the authorities must continue to give effect to it. There is no sense in asking the performance of something which has become impossible. Of course, the Government, before departing from the rule, must make every effort to respect it, and only when it ceases to be*

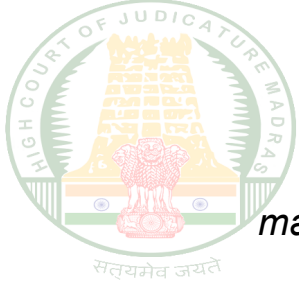
---

<sup>4</sup> 1990 (2) SCC 715



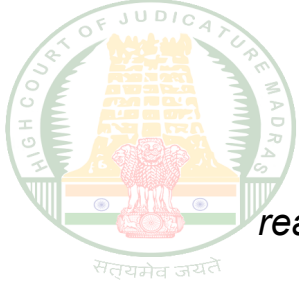
WEB COPY

*feasible to enforce it, that it has to be ignored. Mr Tarkunde is right when he says that in such a situation the rule should be appropriately amended, so that the scope for unnecessary controversy is eliminated. But, merely for the reason that this step is not taken promptly, the quota rule, the performance of which has been rendered impossible, cannot be treated to continue as operative and binding. The unavoidable situation brings about its natural demise, and there is no meaning in pretending that it is still vibrant with life. In such a situation if appointments from one source are made in excess of the quota, but in a regular manner and after following the prescribed procedure, there is no reason to push down the appointees below the recruits from the other source who are inducted in the Service subsequently. The later appointees may have been young students still prosecuting their studies when the appointments from the other source take place — and it is claimed on behalf of the respondents that this is the position with respect to*



WEB COPY

*many of the direct recruits in the present case — and, it will be highly inequitable and arbitrary to treat them as senior. Further, in cases where the rules themselves permit the Government to relax the provisions fixing the ratio, the position for the appointees is still better; and a mere deviation therefrom would raise a presumption in favour of the exercise of the power of relaxation. There would be still a third consideration relevant in this context : namely, what is the conclusion to be drawn from deliberate continuous refusal to follow an executive instruction fixing the quota. The inference would be that the executive instruction has ceased to remain operative. In all these cases, the matter would however be subject to the scrutiny of the court on the ground of mala fide exercise of power. All the three circumstances mentioned above which are capable of neutralising the rigours of the quota rule are present in the cases before us, and the principle of seniority being dependent on continuous officiation cannot be held to have been defeated by*



*reason of the ratio fixed by the 1960 Rules. ”*

## WEB COPY

The Delhi High Court in the case of ***Union of India and others Vs Sandip Kumar Roy and others***<sup>5</sup> held as follows:

*“28. We are conscious and aware that Courts and Tribunals do not have the power to issue directions to make appointments by way of granting relaxation of eligibility or in contravention thereof, as held in State of M.P. v. Dharam Bir (1998) 6 SCC 165 and State of Gujarat v. Arvindkumar T. Tiwari (2012) 9 SCC 545 and also that the power to relax should never be exercised in routine. Nevertheless, the facts of the present case are glaring and painfully reflect the necessity and need for the Government to consider and nullify hardship and injustice, which is palpable and apparent. Exercise of this power in the present case would be in furtherance of Article 14 and 16 of the Constitution. Rules and adherence thereto, ensures uniformity, transparency and curtails arbitrariness. Yet, at times, they may require relaxation, for peculiar and unattended harm*

---

<sup>5</sup> (2016) 230 DLT. 463

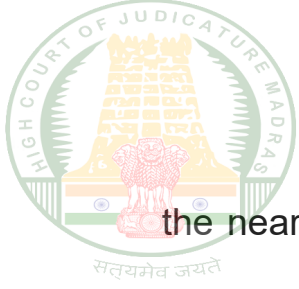


WEB COPY

*and injustice must be corrected and not perpetuated. Justice and fair play is always the motive and objective when executive power is exercised. We perceive and believe that the petitioner, i.e. the Government, is not at variance and equally concerned that none of their employees should be dealt with arbitrarily so as to cause injustice and sufferance.*

*29. In light of the above, while accepting the writ petition, we would be failing as a Constitutional Court by not asking the Government to consider exercise of power of relaxation in terms of Rule 13 of 2010 Rules read with the 1969 Rules. We hope and trust that the said consideration would be undertaken expeditiously and within four months from the date a copy of this order is received. The writ petition is accordingly disposed of. In the facts of the present case, there is no order as to costs."*

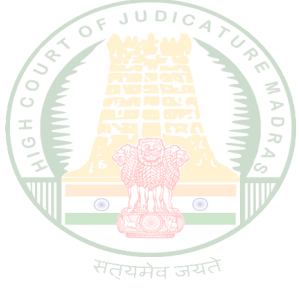
Relying on the above judgments, the respondents would submit that when the rules prescribed for selection and appointment are impractical and the course contemplated under the Rules is unavailable in any of



the nearby States, then it became impossible to perform. Thus on that ground the selection made must be finalised and appointment order should be issued. Cancellation of selection is not in consonance with the principles laid down by the Supreme Court in the judgments cited supra. Therefore, the CAT has rightly considered the issues. Regarding legitimate expectation, the respondents would submit that they were under the impression that they possessed the qualification of AutoCAD (Civil) and there are no Government recognised Institutions conducting the said course. Thus, they were waiting for issuances of appointment order.

#### **IV.Legal principles:**

- 1.Qualifications prescribed for recruitment to the post must be in consonance with the service rules applicable to the said post.
- 2.Submission of application and to participate in the selection process is the basic right of the eligible candidate.
- 3.Eligibility/ineligibility are to be considered by the selection committee in the context of the educational and other qualifications prescribed for the post in the recruitment notification.

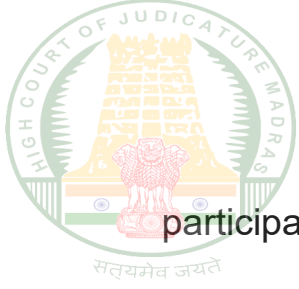


WEB COPY

8.If the educational and other qualifications prescribed in the recruitment notification are running counter to the qualification prescribed under the service rules, the same would raise a cause for challenging the notification. In such circumstances the candidates must approach the Court soon after the issuance of notification.

9.Once the candidates accepted the terms and conditions stipulated under the recruitment notification, it is binding on them and they cannot turn around and claim that the qualifications which are not notified in the recruitment notification also to be taken into consideration for selection and appointment. Mere participation in the selection process *per se* does not provide an absolute right to claim appointment.

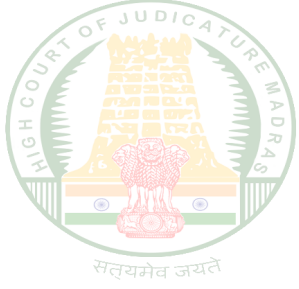
10.Employers are well within their powers to prescribe age, educational qualifications and other criteria for recruitment to a particular post/cadre. Issuance of recruitment notification to fill up the post or cancellation of the process of recruitment are the prerogative of the employer and that same cannot be challenged by the candidates



participating in the process of selection. Selection *per se* is not to be construed as an accrued right.

### V.Discussion:

11.In the present case, the uncontroverted facts would show that 2015 recruitment notification was not proceeded with at the initial stage and 2022 notification was proceeded with and examination was conducted, select list was published. However, no order of appointment was issued to the selected candidates. The candidates have not challenged either the rules for the post of Field Surveyor issued under Article 309 of the Constitution of India by the Government of Puducherry or the recruitment notification issued in consonance with the said rules. They participated in the selection process and the selection was completed in all respects and only during certificate verification the Government authorities found that none of the candidates are qualified and they do not possess the notified educational qualification of passing certificate course in AutoCAD (Civil) conducted by a Government recognised Institution. Thus, they have cancelled the selection for the post of Field Surveyor.



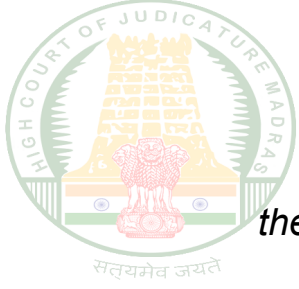
WEB COPY

12. In the case of **Arvindkumar T. Tiwari**, cited supra, the Apex Court held as follows:

*“11. The courts and tribunal do not have the power to issue direction to make appointment by way of granting relaxation of eligibility or in contravention thereof. In State of M.P. v. Dharam Bir [(1998) 6 SCC 165 : 1998 SCC (L&S) 1459] , this Court while dealing with a similar issue rejected the plea of humanitarian grounds and held as under : (SCC p. 175, para 31)*

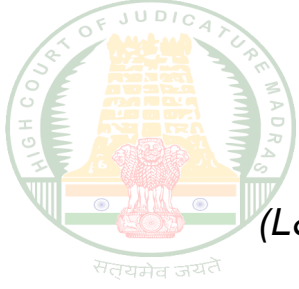
*“31. ... The courts as also the tribunal have no power to override the mandatory provisions of the Rules on sympathetic consideration that a person, though not possessing the essential educational qualifications, should be allowed to continue on the post merely on the basis of his experience. Such an order would amount to altering or amending the statutory provisions made by the Government under Article 309 of the Constitution.”*

12. Fixing eligibility for a particular post or even for admission to a course falls within the exclusive domain of



WEB COPY

*the legislature/executive and cannot be the subject-matter of judicial review, unless found to be arbitrary, unreasonable or has been fixed without keeping in mind the nature of service, for which appointments are to be made, or has no rational nexus with the object(s) sought to be achieved by the statute. Such eligibility can be changed even for the purpose of promotion, unilaterally and the person seeking such promotion cannot raise the grievance that he should be governed only by the rules existing, when he joined service. In the matter of appointments, the authority concerned has unfettered powers so far as the procedural aspects are concerned, but it must meet the requirement of eligibility, etc. The court should therefore, refrain from interfering, unless the appointments so made, or the rejection of a candidature is found to have been done at the cost of “fair play”, “good conscience” and “equity”. (Vide State of J&K v. Shiv Ram Sharma [(1999) 3 SCC 653 : 1999 SCC (L&S) 801 : AIR 1999 SC 2012] and Praveen Singh v. State of Punjab [(2000) 8 SCC 633 : 2001 SCC*

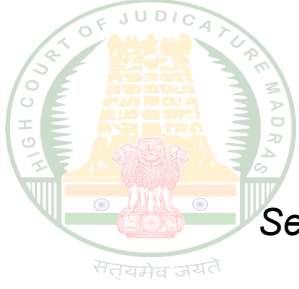


(L&S) 62] .)

WEB COPY

13. *In State of Orissa v. Mamata Mohanty [(2011) 3 SCC 436 : (2011) 2 SCC (L&S) 83]* , this Court has held that any appointment made in contravention of the statutory requirement i.e. eligibility, cannot be approved and once an appointment is bad at its inception, the same cannot be preserved, or protected, merely because a person has been employed for a long time.

14. A person who does not possess the requisite qualification cannot even apply for recruitment for the reason that his appointment would be contrary to the statutory rules, and would therefore, be void in law. Lacking eligibility for the post cannot be cured at any stage and appointing such a person would amount to serious illegality and not mere irregularity. Such a person cannot approach the court for any relief for the reason that he does not have a right which can be enforced through court. (See *Prit Singh v. S.K. Mangal* [1993 Supp (1) SCC 714 : 1993 SCC (L&S) 246 : (1993) 23 ATC 783] and *Pramod Kumar v. U.P.*



*Secondary Education Services Commission [(2008) 7 SCC*

*153 : (2008) 2 SCC (L&S) 244 : AIR 2008 SC 1817] .)”*

WEB COPY

13.The Apex Court in unequivocal terms reiterated that fixing eligibility for a particular post falls within the exclusive domain of the Executive and cannot be the subject matter of judicial review, unless found to be arbitrary or unreasonable. Presuming that the educational qualification prescribed in the present case is impossible to perform, the only option left open to the Court is to direct the Government to amend the service rules suitably and issue a fresh notification, since no order of appointment was issued in the present case, and mere selection will not confer any right. Only if an order of appointment is issued, then alone the right accrues. Therefore, the cancellation of selection on the ground that none of the candidates are qualified/possess the requisite qualification is an acceptable reason for cancellation of selection by the Government. Therefore the principles of unreasonableness or arbitrariness are not applicable.

14.Supreme Court reiterates that a person who does not possess



WP No. 22108 of 2026 &amp; batch

the requisite qualification cannot even apply for recruitment for the reason that the appointment would be contrary to the service rules and would therefore be void in law. Lacking eligibility for the post cannot be cured at any stage and appointing such a person would amount to serious illegality and not mere irregularity. In the present case, the candidates who do not possess the notified requisite qualification of pass in certificate course in AutoCAD (Civil) conducted by a Government recognised Institution participated in the process of selection. During certificate verification the authorities found that none of the candidates are eligible for selection and appointment. Therefore, the participation of the respondents in the process of selection would not confer any right nor they can seek appointment merely based on the selection, since they do not possess the qualification as per the rules. This exactly is the reason why the Apex Court has carved out the powers of judicial review of the High Court under Article 226. In such circumstances, the Government has to amend the rules and issue a fresh notification enabling the candidates to participate along with other eligible candidates or the Court may direct the Government to take necessary steps to amend the rules and conduct a fresh selection, if they have



administratively decided to do so. Contrarily, High Court cannot issue a positive direction to appoint the candidates, having known that these selected candidates do not possess the requisite qualifications as per the rules which would fall beyond the realm of the power of judicial review.

15.The judgment relied on by the respondents in the case of **Sandip Kumar Roy** in paragraph 28, the Delhi High Court in clear terms held that “we are conscious and aware that Courts and Tribunals do not have the power to issue directions to make appointments by way of relaxation of eligibility or in contravention thereof as held in **State of M.P. vs Dharam Bir.** <sup>6</sup> and **State of Gujarat and Others Vs. Arvindkumar T.Tiwari and another** <sup>7</sup> and finally that the power to relax should never be exercised in routine.” The Delhi High Court also relied upon the judgment of the Apex Court in the case of **Arvindkumar T.Tiwari** which is relied upon by the Writ Petitioners. As far as the facts before the Delhi High Court is concerned, the respondents were selected as Geologist (Junior) Group A post and appointment orders were issued and they

---

<sup>6</sup> 1998 (6) SCC 165

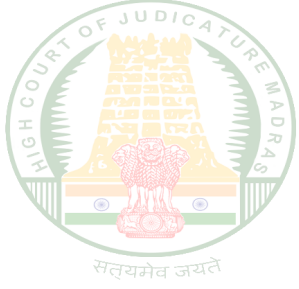
<sup>7</sup> 2012 (9) Supreme Court Cases 545



WP No. 22108 of 2026 &amp; batch

have joined in the post. Therefore, the judgment of the Delhi High Court is of no avail to the respondents. In the case of **Laxmikant Sharma** relied on by the respondents the facts before the Supreme Court are that after physical verification of his educational qualifications and experience, the appellant before the Supreme Court Laxmikant Sharma was appointed on contract on 26.04.2013 and joined service on the 16.05.2013 and served for nearly one year. Those cases were decided after the issuance of the appointment order. Therefore the right accrued. In the present case, no order of appointment was issued and therefore, no right accrued to the respondents. Thus, the said judgments cannot be applied for grant of relief.

16.Regarding the constitution bench judgment relied on by the respondents in the case of **Direct Recruitment Class II Engineering Officers Association** cited supra in paragraph 23, the Supreme Court held that Mr.Tarkunde is right when he says that in such a situation the rule should be appropriately amended so that the scope for unnecessary controversy is eliminated. This principle was followed by the Apex Court in the case of **Arvindlumar T. Tiwari**.



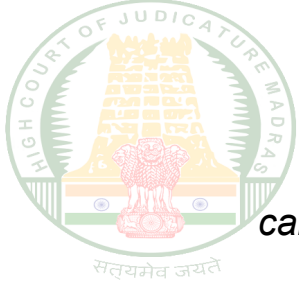
WEB COPY

17. In the case of **Dr.Ami Lal Bhat Vs. State of Rajasthan** <sup>8</sup> the Supreme Court held as follows:

*“11. In our view this kind of an interpretation cannot be given to a rule for relaxation of age. The power of relaxation is required to be exercised in public interest in a given case; as for example, if other suitable candidates are not available for the post, and the only candidate who is suitable has crossed the maximum age-limit; or to mitigate hardship in a given case. Such a relaxation in special circumstances of a given case is to be exercised by the administration after referring that case to the Rajasthan Public Service Commission. There cannot be any wholesale relaxation because the advertisement is delayed or because the vacancy occurred earlier especially when there is no allegation of any mala fides in connection with any delay in issuing an advertisement. This kind of power of wholesale relaxation would make for total uncertainty in determining the maximum age of a candidate. It might be unfair to a large number of*

---

<sup>8</sup> 1997 (6) Supreme Court Cases 614



*candidates who might be similarly situated, but who may not apply, thinking that they are age-barred. We fail to see how the power of relaxation can be exercised in the manner contended.”*

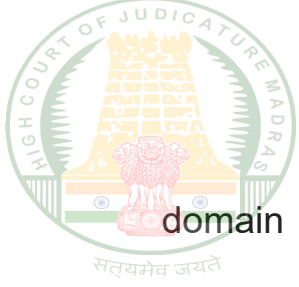
The Supreme Court considered grant of wholesale relaxation of relevant rules. It is held that power of wholesale relaxation would make for total uncertainty in determining the maximum age of a candidate.

18.The power of relaxation of rules vests with the Executive. Such power is to be exercised discreetly in order to eliminate if any injustice caused to a particular class of people. Power to grant relaxation is not an absolute power and to be exercised judiciously. If the power of relaxation is exercised to eliminate or dilute the service rules, then such exercise is to be declared as arbitrary, unreasonable and violative of the constitutional principles. Equal opportunity in public employment is the constitutional mandate. Lakhs and lakhs of youth in our great nation are longing to secure public employment through open competitive process. Therefore a candidate, who does not possess the educational qualification cannot be appointed, nor the Government *en masse* can



grant relaxation of educational qualifications or any other criteria fixed for selection. The scope of powers of exercise of judicial review under Article 226 in this domain is undoubtedly limited. Any such direction to relax the rules or appoint the candidates would result in causing infringement of the rights of the candidates, not participated in the selection process on account of the qualifications prescribed.

19. Pertinently, the Government of Puducherry, considering the fact that qualification of AutoCAD (Civil) conducted by Government recognised Institution is unavailable, amended the recruitment rules on 06.01.2026. As per the amended rules, the educational and other qualifications required for direct recruitment to the post of Field Surveyor is a Diploma in Civil Engineering from a recognised Institution/University or a degree in Civil Engineering from a recognised Institution/University. Having amended the recruitment rules for the post of Field Surveyor, it is left open to the Government of Puducherry to take an administrative decision to issue recruitment notification to fill up the post of Field Surveyor. Even the High Court cannot issue a direction to fill up the post or to issue recruitment notification which would fall within the exclusive



WP No. 22108 of 2026 &amp; batch

domain of the Executive. In view of the facts as well as the legal principles and the judicial pronouncements as considered in the aforementioned paragraphs, this Court would be able to arrive at the irresistible conclusion that the impugned order of the Central Administrative Tribunal, Chennai Bench cannot be sustained. Consequently, the impugned common order passed by the CAT dated 28.07.2025 is set aside.

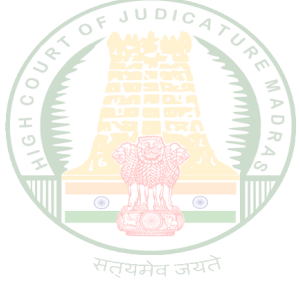
20. Accordingly, the Writ Petitions are allowed. No costs. Consequently, the connected Miscellaneous Petitions are closed.

(S.M.S.,J.) (N.S.,J.)  
22-07-2026

Index: Yes  
Speaking order  
Neutral Citation: Yes

*sai*

***Note: Registry is directed to type all the cause title.***



WEB COPY

WP No. 22108 of 2026 & batch

**S.M.SUBRAMANIAM J.**  
**AND**  
**N.SENTHILKUMAR J.**  
*sai*

To  
Ajithkumar R  
S/o.S Ramesh,  
No.19 Thamarai Kula Street,  
Bahour, Puducherry 607 402

**WP No. 22108 of 2026, WP No. 22116 of 2026, WP No. 22122 of 2026,  
WP No. 22135 of 2026, WP No. 22139 of 2026, WP No. 22152 of 2026,  
WP No. 23330 of 2026, WP No. 23338 of 2026, WP No. 23344 of 2026,  
WP No. 23346 of 2026, WP No. 23349 of 2026, WP No. 23512 of 2026,  
WP No. 23517 of 2026, WP No. 23526 of 2026, WP No. 23533 of 2026,  
WP No. 48804 of 2025, WP No. 48799 of 2025, WP No. 48927 of 2025,  
WP No. 48956 of 2025, WP No. 49227 of 2025  
AND WMP No. 4519 to 4522 of 2026  
WMP No. 14627 of 2026, WMP No. 24007 of 2026,  
WMP No. 24003 of 2026, WMP No. 24038 of 2026,  
WMP No. 24011 of 2026, WMP No. 24031 of 2026,  
WMP No. 24021 of 2026, WMP No. 25306 of 2026,  
WMP No. 25305 of 2026, WMP No. 25308 of 2026,  
WMP No. 25295 of 2026, WMP No. 25303 of 2026,  
WMP No. 25496 of 2026, WMP No. 25488 of 2026,  
WMP No. 25508 of 2026, WMP No. 25504 of 2026,  
WMP No. 54997 of 2025, WMP No. 54487 of 2025,  
WMP No. 54491 of 2025, WMP No. 54723 of 2025,  
& WMP No. 54649 of 2025**

**22-07-2026**