

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 29.06.2015

CORAM:

THE HON'BLE MR.JUSTICE SATISH K. AGNIHOTRI
AND
THE HON'BLE MR.JUSTICE M.VENUGOPAL

W.A. No. 881 of 2015
and
M.P.No. 1 of 2015

1. Union of India,
rep. By the Government of Puducherry
through its Chief Secretary,
Chief Secretariat, Puducherry 605 001.
2. The Secretary,
Department of Education,
Chief Secretariat,
Puducherry 605 001.
3. The Centralized Admission Committee,
(CENTAC), Puducherry Engineering College Campus,
Pillaichavadi, Puducherry 605 014.
4. The District Collector,
O/o District Collectorate,
Revenue Complex, Saram,
Puducherry 605 013.

... Appellants

vs.

The Pondicherry Scheduled Caste People's
Welfare Association (Reg.No.456 of 2002)
rep. By its General Secretary,
No.5 II Street, Thirubuvanai Chinnapet,
Puducherry 605 107.

... Respondent

Writ Appeal filed under Clause 15 of the Letters Patent against
the order dated 23.06.2015 made in M.P. No. 2 of 2015 in W.P.No.
17987 of 2015.

M.P.No.2 of 2015:

Petition praying that in the circumstances stated therein and in the affidavit filed therewith the High Court will be pleased to pass an interim Order of injunction restraining the 3rd respondent from further processing the selection and admission to professional and other courses of study for the academic year 2015-2016, pursuant to the issuances of the G.O.No.27 dated 01.04.2015 by the 1st Respondent as published in the Gazette of Puducherry dated 02.04.2015 till disposal of the Writ Petition No.17987 of 2015.

W.P.No.17987 of 2015:

Petition presented to this Court to issue a Writ of Certiorarified Mandamus, calling for the records pertaining to the Biology Based Merit List (2015-2016) dated 19.06.2015 issued by the 3rd respondent read with the order No.CENTAC/47/2015 dated 17.06.2015 issued by the 1st respondent Quash the same and direct the 3rd respondent to issue a fresh Merit Selection List after considering the 23 candidates whose details are enclosed herewith as Annexure-I under Scheduled Caste category in admission to Professional and other Courses of higher education pursuant as published in the Gazette of Puducherry dated:01.04.2015 by the 1st respondent as published in the Gazette of Puducherry dated 02.04.2015

For appellants : Mr. G. Rajagopalan
Additional Solicitor General of India
assisted by
Mrs. N. Mala,
Addl. Govt. Pleader(Puducherry)

For respondent : Ms. Anna Mathew
for
M/s. S. Meenakshi

JUDGMENT

(Judgment of the Court was delivered by SATISH K. AGNIHOTRI, J.)

Assailing the interim order dated 23.06.2015 passed in M.P.No. 2 of 2015 in W.P. No. 17987 of 2015, the appellants have come up with this writ appeal questioning the observations in respect of the interim direction to consider the schedule caste candidates belonging to Union Territory of Puducherry.

2. The learned Additional Solicitor General appearing for the appellants submits that the observations made by the learned single Judge are contrary to the well settled principle of law laid

down in Marri Chandra Shekhar Rao vs. Dean, Seth G.S. Medical College and Others.

3. At this stage, we are not inclined to examine the case on merit. However, we make it clear that all the observations made by the learned single Judge are inconclusive, provisional and without prejudice to their rights and contentions. We further make it clear that if an application is made by the parties for expeditious consideration of the main writ petition, the learned Single Judge may consider the same.

4. With the above observations, the writ appeal stands disposed of. Consequently connected miscellaneous petition is closed. No costs.

Sd/-
Assistant Registrar(CS II)

//True Copy//

Sub Assistant Registrar

To

1. The Chief Secretary, Union of India,
Government of Puducherry
Chief Secretariat, Puducherry 605 001.
2. The Secretary,
Department of Education,
Chief Secretariat,
Puducherry 605 001.
3. The Centralized Admission Committee,
(CENTAC), Puducherry Engineering College Campus,
Pillaichavadi, Puducherry 605 014.
4. The District Collector,
O/o District Collectorate,
Revenue Complex, Saram,
Puducherry 605 013.

+1cc to M/s.S.Meenakshi, Advocate, S.R.No.31845

+1cc to the Special Government Pleader(Puducherry), S.R.No.31778

W.A. No. 881 of 2015

NM(CO)
CA(07/07/2015)