



W.P.No.14942 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 07.07.2023

CORAM :

THE HON'BLE MR.SANJAY V.GANGAPURWALA, CHIEF JUSTICE

AND

THE HON'BLE MR.JUSTICE P.D.AUDIKESSAVU

W.P.No.14942 of 2023

The Puducherry State Disability
Integrated Employees Organisation,
rep. by its President S.Ramalingam,
No.95, Belquise Street,
Muthialpet, Puducherry-605 003.

.. Petitioner

Vs

- 1.The Additional Chief Secretary,
Chief Secretariat, Puducherry-605 001.
- 2.The Secretary to the Govt. (Education),
Chief Secretariat,
Govt. of Puducherry,
Puducherry-605 001.
- 3.The State Commissioner for Person
with Disabilities cum Secretary to Govt. (Welfare)
Chief Secretariat, Govt. of Puducherry,
Puducherry-605 001.



W.P.No.14942 of 2023

WEB COPY

4. The Director,
Director of School Education,
Perunthalaivar Kamarajar Centenary Educational Complex,
100 Feet Road, Near Indira Gandhi Square,
Anna Nagar, Puducherry-605 005.

5. The Under Secretary to Govt (Education),
(School Education)
Chief Secretariat, Govt. of Puducherry,
Puducherry-605 001.

..

Respondents

Prayer: Petition filed under Article 226 of the Constitution of India seeking issuance of a writ of certiorarified mandamus to call for the records of the third respondent leading to the passing of the impugned Clause viz, Clause 9(2), 10(b) pertaining to the transfer and posting of persons with disability in the Revised Transfer Policy issued by the second respondent in G.O.Ms.No.53 dated 27.03.2023 and quash the same and direct the respondents to amend suitably the impugned clauses in line with the Rights of Persons with Disability Act, 2016 and Equal opportunity Policy of Govt. of Puducherry and Guidelines of Govt. of India and Govt. of Puducherry ensuring the efficient performance of the duty of Differently Abled teachers/Employees working in the Govt. Schools of Govt. of Puducherry.



WEB COPY



W.P.No.14942 of 2023

For the Petitioner : Mr.M.Karpagam
For the Respondents : Mr.S.Raveekumar
Govt. Pleader (Puducherry)

ORDER

(Order of the court was made by the Hon'ble Chief Justice)

We have heard learned counsel for the petitioner and learned Government Pleader (Puducherry) for the respondents.

2. The petitioner had challenged the Clauses of the Government Order dated 27.03.2023.

3. Learned Government Pleader (Puducherry) submits that the policy has been changed and a circular was issued on 26.6.2023 whereby priority would be given to persons with the benchmark disability.

4. In the light of the fact that the policy under challenge has



W.P.No.14942 of 2023

WEB COPY

now undergone a change, the present writ petition stands disposed of. In case, the petitioner is aggrieved by the fresh circular, the petitioner may take appropriate steps. There will be no order as to costs. Consequently, W.M.P.No.14529 of 2023 is closed.

(S.V.G., CJ.)

(P.D.A., J.)

07.07.2023

Index : Yes/No
Neutral Citation : Yes/No
bbr

To

- 1.The Additional Chief Secretary,
Chief Secretariat, Puducherry-605 001.
- 2.The Secretary to the Govt. (Education),
Chief Secretariat, Govt. of Puducherry, Puducherry-605 001.
- 3.The State Commissioner for Person
with Disabilities cum Secretary to Govt. (Welfare)
Chief Secretariat, Govt. of Puducherry, Puducherry-605 001.
- 4.The Director,
Director of School Education,
Perunthalaivar Kamarajar Centenary Educational Complex,
100 Feet Road, Near Indira Gandhi Square,
Anna Nagar, Puducherry-605 005.
- 5.The Under Secretary to Govt (Education),
(School Education) Chief Secretariat, Govt. of Puducherry,



W.P.No.14942 of 2023

Puducherry-605 001.

WEB COPY



WEB COPY



W.P.No.14942 of 2023

THE HON'BLE CHIEF JUSTICE
AND
P.D.AUDIKEVALU, J.

bbr

W.P.No.14942 of 2023

07.07.2023