



W.P.No.23120 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 11.08.2023

CORAM :

THE HON'BLE MR. JUSTICE D.KRISHNAKUMAR

AND

THE HON'BLE MR.JUSTICE P.B.BALAJI

W.P.No.23120 of 2023

1. A.Aridoss
2. A.Elamurugan
3. E.Durai
4. R.Sivakumar
5. M.Sakkaravarthi .. Petitioners

v.

1. Union of India
rep.by the Chief Secretary
Government of Puducherry
Chief Secretariat
Puducherry 605 001

2. The Secretary to Government
Government of Puducherry
Department of Personnel &
Administrative Reforms
(Personnel Wing)
Chief Secretariat
Puducherry 605 001



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3. The Under Secretary to Government
Government of Puducherry
Department of Personnel &
Administrative Reforms
(Personnel Wing)
Chief Secretariat
Puducherry 605 001

4. The Central Administrative Tribunal
rep.by its Registrar, Chennai Bench
Chennai

.. Respondents

Writ Petition filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Certiorarified Mandamus, calling for records pertaining to interim order dated 01.08.2023 in Miscellaneous Application No.310/00377/2023 in Original Application No.310/000611 of 2023 pending on the file of the 4th respondent rejecting the interim relief of stay of operation of notification No.A-34012/1/2023/DP&AR(Exam) dated 16.02.2023 issued by the 3rd respondent proposing to fill up 324 vacancies in the post of Assistant by conducting Limited Departmental Competitive Examination from among the eligible Upper Division Clerks as provided in the Recruitment Rules, 2012, quash the same as illegal and contrary to the prevailing Recruitment Rules and consequently direct the respondents 1 to 3 to issue a notification afresh in accordance with the Recruitment Rules, 2012 for the post of Assistant for the vacancies arose in each year separately to enable conducting Limited Departmental Competitive Examination separately for each year.

For Petitioners :: Mr.S.Silambanan, Senior Counsel for
Mr.Stalin Abhimanyu

For Respondents :: Mr.R.Syed Mustafa
Special Government Pleader (Pondy)
for R1 to R3
R4-Tribunal



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ORDER

(Order of the Court was made by D.KRISHNAKUMAR,J.)

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W.M.P.No.22670 of 2023 seeking to permit the petitioners to file a single writ petition stands allowed.

2. The petitioners herein are aggrieved by the interim order of the Central Administrative Tribunal, Chennai Bench rejecting their prayer for stay of operation of the Notification dated 16.02.2023 issued by the third respondent and also for conduct of pre-examination training for Scheduled Caste candidates, before conducting the Limited Departmental Competitive Examination to fill up 324 vacancies in the post of Assistant from among the eligible Upper Division Clerks as provided in the Recruitment Rules, 2012.

3. Upon notice, Mr.R.Syed Mustafa, learned Special Government Pleader (Pondy) appearing for the respondents 1 to 3 submitted before this Court that in pursuance of the interim direction dated 17.03.2023 issued by the Central Administrative Tribunal in the connected O.A.Nos.257, 248 and 241 of 2023 permitting the applicants therein to participate in the



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examination with a further direction to the respondents 1 to 3 not to publish the results without the leave of the Court, the petitioners herein were also permitted to participate in the examination. Therefore, according to the respondents 1 to 3, when the Central Administrative Tribunal has already issued an interim direction to permit the applicants like the petitioners herein to participate in the examination, but shall not publish the results, pending disposal of the said main O.A's., no further orders are required to be passed in this writ petition.

4. The learned Senior Counsel appearing for the petitioners has not controverted the said submission made by the learned Special Government Pleader appearing for the respondents 1 to 3. However, seeking liberty to raise all their contentions on merit, the learned Senior Counsel prayed for appropriate orders for the early disposal of the O.A's by the Central Administrative Tribunal. The learned Special Government Pleader also agreed to the said request of the learned Senior Counsel.

5. In such circumstances, recording the submissions made by the



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learned counsel for the parties, we refrain from passing any further orders in this writ petition, as the petitioners have already participated in the examination in pursuance of the interim direction issued by the Central Administrative Tribunal in the connected matters. However, granting liberty to the parties to raise all their contentions in the main O.A's, we observe that the Central Administrative Tribunal, Chennai Bench shall consider and dispose of the main O.A's on their own merit and in accordance with law as expeditiously as possible, not later than eight weeks from the date of receipt of a copy of this order. With this observation, the writ petition stands disposed of. Consequently, W.M.P.Nos.22671 & 22674 of 2023 are closed. There shall be no order as to costs.

(D.K.K.,J.) (P.B.B,J.)
11.08.2023

Index : yes/no
Neutral citation : yes/no

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To



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Puducherry 605 001
2. The Secretary to Government of Puducherry
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3. The Under Secretary to Government
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4. The Registrar
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