



WP Nos.8670, 8674 and 8677 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 01.04.2024

CORAM:

THE HONOURABLE MR.JUSTICE D.KRISHNAKUMAR

AND

THE HONOURABLE MR.JUSTICE K.KUMARESH BABU

WP Nos.8670, 8674 and 8677 of 2024

- | | |
|------------------------|---|
| 1. K.Periyanayagi | ... Petitioner
in WP No.8670 of 2024 |
| 2. P.Sudanthira Baliga | ... Petitioner
in WP No.8674 of 2024 |
| 3. A.Vinnarasi | ... Petitioner
in WP No.8677 of 2024 |

versus

- | | |
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| 1.Union of India
Rep. by the Secretary to Government (Education),
Government of Puducherry, Chief Secretariat,
Puducherry -605 001. | |
| 2.The Director,
Directorate of School Education,
Government of Puducherry. | : Respondents in
WP Nos.8670, 8674 and 8677 of 2024 |



WP Nos.8670, 8674 and 8677 of 2024

PRAYER in WP No.8670 of 2024: Writ Petition filed under Article 226 of the Constitution of India, for the issuance of a writ of Certiorari to call for the records of the Central Administrative Tribunal in O.A. No.310/01064/2023 etc. dated 01.03.2024 and to quash the same.

PRAYER in WP No.8674 of 2024: Writ Petition filed under Article 226 of the Constitution of India, for the issuance of a writ of Certiorari to call for the records of the Central Administrative Tribunal in O.A. No.310/01024/2023 etc. dated 01.03.2024 and to quash the same.

PRAYER in WP No.8677 of 2024: Writ Petition filed under Article 226 of the Constitution of India, for the issuance of a writ of Certiorari to call for the records of the Central Administrative Tribunal in O.A. No.310/01028/2023 etc. dated 01.03.2024 and to quash the same.

For the Petitioners :Mr.Gnanasekar
For the Respondents :Mr.Syed Mustafa
Special Government Pleader

COMMON ORDER

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

Challenging the order passed by the Central Administrative Tribunal in O.A. Nos.1024, 1028 and 1064 of 2023 dated 01.03.2024, the petitioners have filed the present writ petitions.

2. By consent of parties, these writ petitions are taken up for final disposal at the admission stage itself.



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3. Learned counsel for the parties informed the court that the issue involved in the present writ petitions is squarely covered by a decision rendered by a Division Bench of this Court in WP No.7499 of 2024 etc., batch dated 25.03.2024 and hence, on the same line, orders may be passed in these writ petitions. In the aforesaid batch of cases, the Division Bench of this Court has held as follows:

- *The impugned common order dated 01.03.2024 passed by the Central Administrative Tribunal, Chennai Bench insofar as the directions given in Paragraphs 9.2 and 9.3 is concerned, are hereby set aside to the extent it is being modified by the following directions.*
- *There shall be a direction to the Puducherry Government to immediately take steps for giving age relaxation for all such candidates or candidates of any category according to the wisdom and decision of the Puducherry Government ie., the Administrator of the Puducherry Government by exercising his power under Rule 6 of the Recruitment Rules.*
- *Such a decision shall be taken by the Administrator of Puducherry Government within a period of six weeks from the date of receipt of a copy of this order.*
- *Once such a relaxation is given for upper age limit for a 'class or category of persons' within the meaning of Rule 6 of the Recruitment Rules, based on which, a corrigendum shall be issued by the Puducherry Government to the notification dated 23.10.2023, enabling some more candidates who may become eligible to make an application by*



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virtue of such relaxation to be given by the Administrator to make application.

- *It is made clear that pursuant to issuance of such corrigendum, the applicants who have already made applications need not make a fresh application.*
- *In the corrigendum, in respect of of Clause VIII of the notification with regard to the 10% weightage for employment exchange seniority, it must be given only for the essential qualification viz., Diploma in Teacher Education, that means, from the date of registration of Diploma in Teacher Education alone should be calculated to arrive at the 10% weightage of employment exchange seniority and such weightage shall be provided, and not on the basis of TET qualification registration.*
- *It is further made clear that, by virtue of this amended notification to be issued, it may not be understood that the TET is not an essential qualification. It is an essential qualification, without which no applicant would be eligible to make application to participate in the selection process.*
- *Correspondingly, the Directorate of Employment Exchange or as the case may be, the concerned officer who is looking after the employment exchange seniority registration issues in the Union Territory of Puducherry, shall re-draw the list of candidates based on the employment exchange seniority of essential qualification ie., Diploma in Teacher Education and accordingly re-drawn list to be forwarded by them to the Education Department, based on which the selection process shall go on.*

3. We expect that all the above directions would be complied with as early as possible, as large number of



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teachers ie., 145 Primary School Teacher posts are to be filled up in the Government schools, atleast before the commencement of the next academic year ie., 2024-25.

4. With all these directions, the order passed by the Tribunal dated 01.03.2024 since has been set aside to the extent of the directions given herein above, we dispose of these writ petitions accordingly. No costs. Consequently, connected miscellaneous petitions are closed.

4. In view of the submissions made by the learned counsel for the parties and following the earlier order passed by a Division Bench of this Court in WP No.7499 of 2024 etc., batch dated 25.03.2024, as referred to above, which squarely covers the issue involved in the present writ petitions, the impugned order in O.A. Nos.1024, 1028 and 1064 of 2023 dated 01.03.2024, passed by the Tribunal are set aside and consequently, the writ petitions stand allowed on the same lines. There shall be no order as to costs. Consequently WMP Nos. 9664, 9666, 9668, 9675, 9676, 9677, 9680, 9681 and 9682 are closed.

[D.K.K., J.] [K.B., J.]
01.04.2024

Index : Yes/No
Neutral Citation : Yes/No
mrn



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To

1 The Secretary to Government (Education),
Government of Puducherry, Chief Secretariat,
Puducherry -605 001.

2.The Director,
Directorate of School Education,
Government of Puducherry.



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D.KRISHNAKUMAR, J.
and
K.KUMARESH BABU, J.

(mrn)

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