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W.P.Nos.7499, 7512 & 7517 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 25.03.2024

CORAM :

**THE HONOURABLE MR. JUSTICE R.SURESH KUMAR
and
THE HONOURABLE MR.JUSTICE K.KUMARESH BABU**

**W.P.Nos.7499, 7512 & 7517 of 2024
and W.M.P.Nos.840, 8401, 8402, 8413, 8415, 8416, 8423,
8425 & 8427 of 2024**

P.Vanisri	...	Petitioner in W.P.No.7499 of 2024
S.Alli Rani	...	Petitioner in W.P.No.7512 of 2024
D.Chitra	...	Petitioner in W.P.No.7517 of 2024

-Vs-

1.Union of India, Rep.by
Secretary to Government (Education)
Government of Puducherry
Puducherry - 605 001.

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

... Respondents in all the W.Ps.

Prayer : Writ Petitions under Article 226 of the Constitution of India praying for the issuance of a Writ of Certiorari calling for the records relating to the order dated 01.03.2024 in O.A.Nos.310/01029/2023 O.A.Nos.310/01026/2023 and O.A.Nos.310/01025/2023 etc., passed by the Hon'ble Central Administrative Tribunal at Chennai Bench and quash the same and allow the Original Application as prayed for.



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For Petitioner : Mr.M.Gnanasekar
For Respondents : Mr.R.Syed Mustafa
Special Government Pleader (Puducherry)

ORDER

(Order of the Court was made by **R.SURESH KUMAR, J.**)

The issue raised in this writ petition is covered by the order of this Court made in W.P.Nos.6867 of 2024 etc., batch dated 20.03.2024.

This position is not disputed by the learned counsel for both sides. Hence, this writ petition is disposed with the following order.

- 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



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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 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.,



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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.



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

(R.S.K.,J.) (K.B.,J.)
25.03.2024

Index : Yes
Internet : Yes
Neutral Citation : Yes
KST

To

1.Secretary to Government (Education)
Government of Puducherry
Puducherry - 605 001.

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



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R.SURESH KUMAR, J.
and
K.KUMARESH BABU, J.

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