



Writ Petition Nos.7650 & 7657 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

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Dated: 21.03.2024

CORAM

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

**Writ Petition Nos.7650 & 7657 of 2024
and W.M.P.Nos.8575, 8576, 8561
and 8562 of 2024**

T.P.Parimaladevi,
D/o.Thamarai Pugazhendi ... Petitioner in W.P.No.7650/2024

1. S.Sridhar,
V.Sundaresan
2. K.R.Velmurugan,
S/o. K.Rethinavelu
3. A.Anbarasi,
D/o. R.Anbalagan
4. D.Ponmani,
D/o.Devadoss
5. P.Parthiban,
A.Pavadaisamy
6. G.Suganya,
S.Gurunathan
7. R.Kalaivani,
D/o.R.Rajendirane



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8. T.Gowrilakshmi,
D/o. A.Thandabani

9. M.Ananthi,
D/o. A.Muruganantham

10. A.Kanmani,
D/o. Arikrishnan ... Petitioners in W.P.No.7657 of 2024

Vs.

1. Union of India rep. By the
Government of Puducherry,
through the Secretary to Government,
for Education, Chief Secretariat,
Puducherry – 605 001.

2. The Director,
Directorate of School Education,
Perunthalaivar Kamarajar Centenary,
Educational Complex,
100 Feet Road, Anna Nagar,
Puducherry – 605 005.

3. The Employment Officer,
Employment Exchange, Ground Floor,
Labour Department Complex,
Gandhi Nagar, Vazhudavur Road,
Puducherry – 605 009.

4. The Registrar,
The Hon'ble Central Administrative Tribunal,
Madras Bench, Chennai.

... Respondents

COMMON PRAYER: Writ Petition filed under Article 226 of the
Constitution of India, for issuance of a Writ of Certiorarified Mandamus,
to call for the records of the Hon'ble Central Administrative Tribunal in
O.A.No.1031 of 2023 and batch dated 01.03.2024 and to quash the same



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and consequently to direct the second respondent to consider and appoint the petitioners to the post of Primary School Teacher.

For Petitioners : Mr.V.Ajayakumar
[in both W.Ps.]
For Respondents : Mr.R.Syed Mustafa,
[in both W.Ps.] Special Government Pleader [R1
to R3]

COMMON ORDER

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

The impugned order in both the cases is the order of the Tribunal i.e., Central Administrative Tribunal, Chennai Bench, dated 01.03.2024 made in O.A.No.1031 of 2023.

2. Against the same order passed by the Tribunal, a batch of writ petitions in W.P.Nos.6867 of 2024 & etc., batch had been filed, which were heard exhaustively and decided by our order dated 20.03.2024. Since the issue raised in these writ petitions is fully covered with the said decision, the said order made in W.P.Nos.6867 of 2024 & etc., batch dated 20.03.2024 was to be extended to the present cases also. Accordingly, there shall be an order to the following effect:

◆ The impugned common order dated 01.03.2024 passed by the



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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 virtue of such relaxation to be



given by the Administrator to make application.

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- ◆ 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



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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 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.)

21.03.2024

Index: Yes/No
Speaking Order/Non Speaking Order
Neutral Citation: Yes/No
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and
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