



WP.No.31777 of 2024

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.11.2024

CORAM

THE HON'BLE MR.JUSTICE S.M.SUBRAMANIAM

AND

THE HON'BLE MR.JUSTICE M.JOTHIRAMAN

W.P.No.31777 of 2024

and

W.M.P.No.34528 of 2024

J. Balamurugan

... Petitioner

vs.

1. Union of India
Represented by the Secretary,
Union Public Service Commission,
Dholpur House,
Shahjahan Road,
New Delhi 110 069.
2. The Commissioner,
Department of Commercial Taxes,
Puducherry Region 100 Feet Road,
Ellapillalchavady,
Pondicherry 605 005.
3. Central Administrative Tribunal,
represented by its Registrar,



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Chennai 600 104.

... respondents

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Prayer : Petition filed under Article 226 of the Constitution of India seeking to issue Writ of Certiorarified Mandamus calling for the records pertaining to the order passed by the 3rd respondent dated 01.07.2024 in O.A.No.223 of 2019 and quash the same.

For Petitioner : Mr. K.S.Karthik Raja

For Respondents : Mr.V. Chandrasekaran,
SPC for R1

: Mr. R.Syed Mustafa,
Spl. G.P.(Puducherry)

: R3-Tribunal

ORDER

(Made by the Hon'ble Mr.Justice S.M.SUBRAMANIAM)

The order of the Central Administrative Tribunal, dated 01.07.2024 in OA.No.223 of 2019 is sought to be assailed in the present writ proceedings.

2. The writ petitioner challenged the recruitment notification issued by the respondents for selection and appointment to the post of Commercial Tax Officer in Commercial Tax Department, Government of Puducherry. One post was notified in advertisement no.09/2018. The



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notification states the said one post is general(unreserved). The petitioner participated in the process of selection since he is an in-service employee, already working in the Commercial Tax Department. However, his candidature was rejected on the ground that he is ineligible to be considered for the post of Commercial Tax Officer as the post is not suitable for Physically Handicapped (PH) candidates. That apart, notification was issued for selection and appointment of one post of Commercial Tax Officer under the general category.

3. The learned Government Advocate (Puducherry) submitted that the process of selection was completed and the selected candidate was appointed and serving. The petitioner was found ineligible to be considered and further the department states that the post itself is not suitable for Physically Handicapped(PH) candidates.

4. That being the factum, there is no reason to reconsider the findings made by the Central Administrative Tribunal in the order impugned. If at all the petitioner aggrieved from and out of the administrative decision taken regarding the ineligibility of PH candidates,



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it is left open to him to redress the grievances in the manner known to law.

5. Accordingly, the Writ Petition stands dismissed. No costs.

Consequently, connected miscellaneous petition is closed.

(S.M.S., J) (M.J.R., J)
28.11.2024

Index : Yes/No
Internet : Yes/No
Speaking Order/Non-Speaking Order
Neutral Citation : Yes/No
mrp

To

1. The Secretary,
Union of India
Union Public Service Commission,
Dholpur House, Shahjahan Road,
New Delhi 110 069.
2. The Commissioner,
Department of Commercial Taxes,
Puducherry Region 100 Feet Road,
Ellapillalchavady,
Pondicherry 605 005.
3. The Registrar,
Central Administrative Tribunal
High Court Campus, Chennai – 600 104.



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S.M. SUBRAMANIAN, J.
and
M. JOTHIRAMAN, J.

mrp

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