



W.P.Nos.33777 of 2019 and 14216 of 2020

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 20.11.2024

CORAM :

THE HONOURABLE MR. JUSTICE S.M.SUBRAMANIAM
AND
THE HONOURABLE MR. JUSTICE M.JOTHIRAMAN

W.P.Nos.33777 of 2019 and 14216 of 2020
and WMP Nos. 34274, 34275 of 2019 and WMP No. 6360 of 2021

WP No.33777 of 2019

S.Rathinaraj

... Petitioner

Vs.

1. Union of India,
Rep. By the Chief Secretary,
Chief Secretariat,
Government of Puducherry,
Puducherry 605 001
2. The Secretary to Government,
Chief Secretariat,
Puducherry – 605 001
3. The District Collector,
Puducherry.
4. Thiru H Sendhilnathan
5. Thiru D Santoche Coumar
6. The Registrar,
Central Administrative Tribunal,
Chennai Bench, Chennai
7. V.Jayabalaji



W.P.Nos.33777 of 2019 and 14216 of 2020

S/o.Viswanathan,
No.16, Ambedkar Street,
Uthirivakinipet, Puducherry
[7th respondent impleaded vide order
dated 20.11.2024 by SMSJ & MJRJ
in WMP No.17094 of 2021 in WP No.33777 of 2019] ... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying for the issuance of Writ of Certiorarified Mandamus, to call for the records of the 6th respondent in its order dated 01.10.2019 made in O.A.No.1964 / 2017 quash the same and consequently, direct the respondents to appoint the petitioner as Deputy Tahsildar Department of Revenue and Disaster Management, Government of Puducherry, with effect from 23.11.2010 with consequential benefits such as Seniority from such date.

For Petitioner : Mr.Karthick Rajan
for Mr.Menon

For Respondents : Mr.R.Syed Mustafa
Special Government Pleader[Puducherry]
for R1 to R3
Mr.Mani Sundara Gopal for R4
Mr.L.Chandra Kumar for R5
R6 - Tribunal

WP No.14216 of 2020

P.Muthukumaran ... Petitioner
Vs.

1. P.Rajakumaran
2. V.Jayabalaji
3. K.Sendhil Kumar
4. Prem Prakash
5. V.Vijay Prasanna



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6. P.Kumaran

7. I. Jothi

8. S.Tharanivel

9. T.Senthil Kumar

10. M.Senthil Kumar

11. R.Rajalakshmi

12. Arulkeerthy

13. C.Karthigayan

14. S.Rathinaraj

15. The Union Territory of Puducherry
Rep. By the Chief Secretary to Government,
Puducherry -1

16. The District Collector,
Department of Revenue and Disaster Management,
Government of Puducherry
District of Puducherry,
Puducherry.

17. The Secretary to Government for
Department of personnel and Administrative Reforms,
Puducherry

18. The Secretary to Government for Department of
Revenue and Disaster Management,
Puducherry.

19. The Special Secretary (Revenue),
Department of Revenue and Disaster management,
Puducherry



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20. M.Udayaraj

21. Mr.K.Kumaravel

22. M.Predeevi A

23. Mr.Venkataraman D

24. Mr.R.Sellamuthu

25. Mr.K.Gopala krishnan

26. Mrs.K.Bhuvaneswari

27. Mr.Mathankumar

28. Mrs.M.Shalini

29. Mr.C.Ramachandran

30. Mr.J.Ravi Prakash

31. Mr.Jothimani A

32. Mr.S.Couppan

33. Mr.S.Manikandan

34. Mr.D.Silambarasa

35. Mrs.N.Shanthi

36. Mr.M.Shanmuganandham

37. Mr.H.Sendhilnathan

38. Mr.U.Segar

39. Mr.Santche Coumar D



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40. Mr.M.Thamizh Selva

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying for the issuance of Writ of Certiorarified Mandamus, to call for the records on the file of the Central Administrative Tribunal, Madras Bench relating to the impugned order dated 01.10.2020 passed in MA/310/000197/206 & MA/310/00931/2016 (in) (&) OA /310/01491/2011a/w OA/310/01536/2011, OA/310/00267/2012, OA/310/00368/2012, OA/310/00089/2013, OA/310/00413/2013 & OA/310/01964/2017 and quash the same in as much as it did not grant the relief of offering of appointment to the respondents also who come up in the merit list and consequently direct the respondents 15 to 19 to issue offer of appointment to the petitioner to the post of Deputy Tahsildar with Seniority and all other service benefits from the initial appointment of the others without any backwages.

For Petitioner	: Mr.R.Saravanan for Mr.L.Poovendra Perumal
For Respondents	: No appearance for R1 to 3, 5 to 7, 11, 23 to 27 29 to 28, 35 to 38 and 40 Mr.J.Srinivasa Mohan for M/s.TVJ Associates for R8 Mr.V.Ajaya Kumar for R12 and R13 Mr.Karthick Rajan for M/s.Menon Karthick Mukundan for R14 and R18 Mr.R.Syed Mustafa Special Government Pleader [Puducherry] for R15 to 19 Not ready in notice for 4,9,10,20 to 22, 28, 34 and 39

COMMON ORDER



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(Order of the Court was made by S.M.SUBRAMANIAM, J.)

These writ petitions have been filed by the unsuccessful applicants in OA No.1917 of 2017. The Central Administrative Tribunal dismissed the original application mainly on the ground of delay in approaching the Tribunal.

2. The issues raised are relating to the selection process for appointment to the post of Deputy Tahsildar in Government of Puducherry. The process of selection had already been concluded. Re-evaluations were done pursuant to the orders of the Court. Even after re-evaluation, some candidates approached the Tribunal failed and few are selected.

3. The learned Government Pleader [Puducherry] would submit that these candidates are fence sitters approached the Tribunal after a lapse of seven years from the date of selection process. Therefore, they are not entitled for any relief.

4. However, we have decided these issues elaborately in a batch of writ petitions in WP No.13108 of 2021 etc., vide order dated 07.11.2024. In the context of the order passed by this Court in the batch of writ petitions, the



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Department of Revenue and Disaster Management, Government of Puducherry

filed a letter dated 19.11.2024, has stated that a final decision will be taken by the Government for accommodating the writ petitioners in WP No.14216 of 2020 and WP No.33777 of 2019, since these two candidates were declared selected after conducting re-evaluation. Therefore, the respondents shall consider and take a decision as expeditiously as possible, preferably within a period of twelve weeks from the date of receipt of the copy of this order.

5. These writ petitions are disposed of accordingly. No costs. Consequently, the connected miscellaneous petitions are closed.

[S.M.S., J.] [M.J.R., J.]
20.11.2024

Index: Yes/No
Speaking/Non-speaking order
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