



W.P.No.13448 of 2021

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 19.03.2025

CORAM :

THE HONOURABLE MR. JUSTICE M.S. RAMESH

AND

THE HONOURABLE MR. JUSTICE N. SENTHILKUMAR

W.P.No.13448 of 2021
and W.M.P.No.14326 of 2021

P.Rajakumaran

... Petitioner

Vs.

1.The Union Territory of Puducherry,
Rep. by the Chief Secretary to Government,
Puducherry – 1.

2.The District Collector,
Department of Revenue and Disaster Management,
Govt. of Puducherry, Puducherry.

3.Mr.Udhayaraj,
Deputy Tashildar,
Department of Revenue & Disaster Management,
U.T. of Puducherry.

4.Mr.Kumaravel K.,
Deputy Tashildar,
Department of Revenue & Disaster Management,
U.T. of Puducherry.

5.Mrs.Pradeevi A,
Deputy Tashildar,



W.P.No.13448 of 2021

Department of Revenue & Disaster Management,
U.T. of Puducherry.

6.Mr.D. Venkatraman,
Deputy Tashildar,
Department of Revenue & Disaster Management,
U.T. of Puducherry.

7.Mr.R.Sellamuthu,
Deputy Tashildar,
Department of Revenue & Disaster Management,
U.T. of Puducherry.

8.Mr.K.Gopalakrishnan,
Deputy Tashildar,
Department of Revenue & Disaster Management,
U.T. of Puducherry.

9.Mrs.K.Bhuvaneswari,
Deputy Tashildar,
Department of Revenue & Disaster Management,
U.T. of Puducherry.

10.Mr.Mathan Kumar,
Deputy Tashildar,
Department of Revenue & Disaster Management,
U.T. of Puducherry.

11.Ms.Shalini,
Deputy Tashildar,
Department of Revenue & Disaster Management,
U.T. of Puducherry.

12.Mr.Ramachandran,
Deputy Tashildar,
Department of Revenue & Disaster Management,
U.T. of Puducherry.



W.P.No.13448 of 2021

13.Mr.J.Ravi Prakash,
Deputy Tashildar,
Department of Revenue & Disaster Management,
U.T. of Puducherry.

14.Mr.A.Jothimani,
Deputy Tashildar,
Department of Revenue & Disaster Management,
U.T. of Puducherry.

15.Mr.S.Couppan,
Deputy Tashildar,
Department of Revenue & Disaster Management,
U.T. of Puducherry.

16.Mr.S.Manikandan,
Deputy Tashildar,
Department of Revenue & Disaster Management,
U.T. of Puducherry.

17.Mr.D.Silambarasa,
Deputy Tashildar,
Department of Revenue & Disaster Management,
U.T. of Puducherry.

18.Ms.Shanthi,
Deputy Tashildar,
Department of Revenue & Disaster Management,
U.T. of Puducherry.

19.Mr.M.Shanmuganandhan,
Deputy Tashildar,
Department of Revenue & Disaster Management,
U.T. of Puducherry.

20.Mr.Sendhilnathan,
Deputy Tashildar,
Department of Revenue & Disaster Management,
U.T. of Puducherry.



W.P.No.13448 of 2021

WEB COPY

21. Mr. U. Segar,
Deputy Tashildar,
Department of Revenue & Disaster Management,
U.T. of Puducherry.

22. Mr. D. Santoche Coumar,
Deputy Tashildar,
Department of Revenue & Disaster Management,
U.T. of Puducherry.

23. Mr. M. Tamil Selvan,
Deputy Tashildar,
Department of Revenue & Disaster Management,
U.T. of Puducherry.

24. Mr. P. Muthukumaran,
Deputy Tashildar,
Department of Revenue & Disaster Management,
U.T. of Puducherry.

25. Mr. S. Rathinaraj,
Deputy Tashildar,
Department of Revenue & Disaster Management,
U.T. of Puducherry.

26. Central Administrative Tribunal,
Madras Bench, Chennai – 600 104,
Rep. by its Registrar.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying for the issuance of Writ of Certiorarified Mandamus, calling for the records of the 24th respondent, relating to its common order dated 01.10.2019 in OA.Nos.1491/11, 1536/11, 267/12, 368/12, 89/13 and OA.413/2013, quash the same to the limited extent of directions contained



W.P.No.13448 of 2021

WEB COPY

in para 20(1) thereof and consequential orders issued by the third respondent and to issue consequential directions to the 24th respondent to clarify its directions in para 20(1) as applicable to the applicants in the relevant O.As alone and the merit list should be prepared and published based on cut off marks fixed in the original select list of 2010-11, paving way for the appointment of the petitioner in any of the existing vacancies with seniority from the date on which the initial appointment was given to respondents 4 to 23 without any backwages.

For Petitioner	: Mr.M.Ravi
For R1 & R2	: Mr.Syed Mustafa, Special Government Pleader
For R3 to R5, R7 to R10, R12 to R22 & R25	: No appearance
For R6, R11, R23 & R24	: Dismissed vide common order dated 01.04.2024

ORDER

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

It is brought to our notice that as against the prayer sought for before the Tribunal, a batch of writ petitions were filed before this Court in WP.No.13108 of 2021 etc. batch, in which, a Co-ordinate Bench of this Court had passed final order on 07.11.2024, in the following manner.

“W.P.Nos.13108 of 2021, 12729 of 2020, 28389 of 2021 & _



W.P.No.13448 of 2021

1488 of 2022

WEB COPY

W.P.No.13108 of 2021:

M.Arul Keerthy

... Petitioner in

W.P.No.13108 of 2021

Vs.

- 1 *Union Territory Of Pondicherry*
Represented By The Secretary To Govt.
Department Of Personnel And Administrative
Reforms Chief Secretariat Puducherry
- 2 *Secretary To Government*
Revenue And Disaster Management,
Chief Secretariat Puducherry
- 3 *The Special Secretary (revenue)*
To Govt., Revenue And Disaster Management
Chief Secretariat, Puducherry
- 4 *Udhayaraj*
Deputy Tahsildar, Department Of Revenue And
Disaster Management, U.T. of Puducherry
- 5 *Kumaravel. K*
Deputy Tahsildar,
Department Of Revenue And
Disaster Management, U.T. of Puducherry
- 6 *Predeevi. A*
Deputy Tahsildar,
Department Of Revenue And
Disaster Management, U.T. Of Puducherry
- 7 *D.Venkatraman*



WEB COPY



W.P.No.13448 of 2021

- Deputy Tahsildar,
Department Of Revenue And
Disaster Management, U.T. Of Puducherry*
- 8 *R.Sellamuthu
Deputy Tahsildar, Department Of Revenue And
Disaster Management, U.T. Of Puducherry*
- 9 *K. Gopalakrishnan
Deputy Tahsildar Department Of Revenue And
Disaster Management, U.T. Of Puducherry*
- 10 *K.Bhuvaneswari
Deputy Tahsildar Department Of Revenue And
Disaster Management, U.T. Of Puducherry*
- 11 *Mathan Kumar
Deputy Tahsildar Department Of Revenue And
Disaster Management, U.T. Of Puducherry*
- 12 *Shalini
Deputy Tahsildar, Department Of Revenue And
Disaster Management, U.T. Of Puducherry*
- 13 *Ramachandran
Deputy Tahsildar, Department Of Revenue And
Disaster Management, U.T. Of Puducherry*
- 14 *J.Ravi Prakash,
Deputy Tahsildar, Department Of Revenue And
Disaster Management, U.T. Of Puducherry*
- 15 *A.Jothimani
Deputy Tahsildar, Department Of Revenue And
Disaster Management, U.T. Of Puducherry*
- 16 *S.Couppan*



WEB COPY



W.P.No.13448 of 2021

- Deputy Tahsildar, Department Of Revenue And
Disaster Management, U.T. Of Puducherry*
- 17 *S.Manikandan*
*Deputy Tahsildar, Department Of Revenue And
Disaster Management, U.T. Of Puducherry*
- 18 *Jancy Rani. R*
*Deputy Tahsildar, Department Of Revenue And
Disaster Management, U.T. Of Puducherry*
- 19 *N.Shanthi*
*Deputy Tahsildar, Department Of Revenue And
Disaster Management, U.T. Of Puducherry*
- 20 *M.Shanmuganadham*
*Deputy Tahsildar, Department Of Revenue And
Disaster Management, U.T. Of Puducherry*
- 21 *N.Sendhilnathan*
*Deputy Tahsildar, Department Of Revenue And
Disaster Management, U.T. Of Puducherry*
- 22 *U.Segar*
*Deputy Tahsildar, Department Of Revenue And
Disaster Management, U.T. Of Puducherry*
- 23 *D.Santoche Coumar*
*Deputy Tahsildar, Department Of Revenue And
Disaster Management, U.T. Of Puducherry*
- 24 *M. Tamizh Selvan*
- 25 *P.Muthukumaran*
- 26 *S.Rathinaraj*
- 27 *Central Administrative Tribunal*
Madras Bench Chennai 600 104



WEB COPY



W.P.No.13448 of 2021

Represented By Its Registrar.

... Respondents

Prayer in W.P.No.13108 of 2021: *Writ Petition filed under Article 226 of the Constitution of India, praying for the issuance of Writ of Certiorarified Mandamus, Calling for the records of the 24th Respondent relating to its Common order dated 01.10.2019 in OA Nos. 1491/11, 1536 / 11, 267/12, 368/12, 89/13 and OA 413 / 2013, quash the same to the limited extent of directions contained in para 20(1) thereof and consequential orders issued by the Third Respondent and to issue consequential directions to the 24th Respondent to clarify its directions in para 20(1) as applicable to the applicants in the relevant O. As alone and the merit list should be prepared and published based on cut off marks fixed in the original select list of 2010-11, paving way of the appointment of the petitioner in any of the existing vacancies with seniority from the date on which the initial appointment was given to respondents 4 to 23 without any backwages.*

For Petitioner : Mr.M.Ravi

For Respondents : Mr.R.Syed Mustafa,

Special Government Pleader (For R1-3)

W.P.No.12729 of 2020:

T.Senthil Kumar

... Petitioner in

W.P.No.12729 of 2020

Vs.

1 Union Territory Of Puducherry



WEB COPY



W.P.No.13448 of 2021

- Represented By its Chief Secretary To Govt.
Puducherry.*
- 2 *The District Collector,
Department of Revenue and Disaster Management,
Government of Puducherry,
U.T. Of Puducherry.*
- 3 *Udhayaraj
Deputy Tahsildar, Department Of Revenue And
Disaster Management, U.T. of Puducherry*
- 4 *Kumaravel. K
Deputy Tahsildar,
Department Of Revenue And
Disaster Management, U.T. of Puducherry*
- 5 *Predeevi. A
Deputy Tahsildar,
Department Of Revenue And
Disaster Management, U.T. Of Puducherry*
- 6 *D.Venkatraman
Deputy Tahsildar,
Department Of Revenue And
Disaster Management, U.T. Of Puducherry*
- 7 *R.Sellamuthu
Deputy Tahsildar, Department Of Revenue And
Disaster Management, U.T. Of Puducherry*
- 8 *K. Gopalakrishnan
Deputy Tahsildar Department Of Revenue And
Disaster Management, U.T. Of Puducherry*



WEB COPY



W.P.No.13448 of 2021

- 9 *K.Bhuvaneswari*
*Deputy Tahsildar Department Of Revenue And
Disaster Management, U.T. Of Puducherry*
- 10 *Mathan Kumar*
*Deputy Tahsildar Department Of Revenue And
Disaster Management, U.T. Of Puducherry*
- 11 *Shalini*
*Deputy Tahsildar, Department Of Revenue And
Disaster Management, U.T. Of Puducherry*
- 12 *Ramachandran*
*Deputy Tahsildar, Department Of Revenue And
Disaster Management, U.T. Of Puducherry*
- 13 *J.Ravi Prakash,*
*Deputy Tahsildar, Department Of Revenue And
Disaster Management, U.T. Of Puducherry*
- 14 *A.Jothimani*
*Deputy Tahsildar, Department Of Revenue And
Disaster Management, U.T. Of Puducherry*
- 15 *S.Couppan*
*Deputy Tahsildar, Department Of Revenue And
Disaster Management, U.T. Of Puducherry*
- 16 *S.Manikandan*
*Deputy Tahsildar, Department Of Revenue And
Disaster Management, U.T. Of Puducherry*
- 17 *D.Silambarasa*
*Deputy Tahsildar, Department Of Revenue And
Disaster Management, U.T. Of Puducherry*
- 18 *N.Shanthi*



WEB COPY



W.P.No.13448 of 2021

- Deputy Tahsildar, Department Of Revenue And
Disaster Management, U.T. Of Puducherry*
- 19 *M.Shanmuganadham*
*Deputy Tahsildar, Department Of Revenue And
Disaster Management, U.T. Of Puducherry*
- 20 *N.Sendhilnathan*
*Deputy Tahsildar, Department Of Revenue And
Disaster Management, U.T. Of Puducherry*
- 21 *U.Segar*
*Deputy Tahsildar, Department Of Revenue And
Disaster Management, U.T. Of Puducherry*
- 22 *D.Santoche Coumar*
*Deputy Tahsildar, Department Of Revenue And
Disaster Management, U.T. Of Puducherry*
- 23 *Central Administrative Tribunal*
Madras Bench Chennai 600 104
Represented By Its Registrar.
- 24 *Prem Prakash*
- 25 *V.Vijay Prasanna*
- 26 *P.Kumaran* ... Respondents
- Prayer in 12729 of 2020:** *Writ Petition filed under Article 226
of the Constitution of India, praying for the issuance of Writ of
Certiorarified Mandamus, calling for the records in M.A.
55/2020 in O.A.368/2012 (Batch) dated 23.03.2020 on the file
of the 23rd Respondent and to quash the same and
consequently direct the 23rd Respondent to clarify the order in
O.A.368/2012 (batch) dated 01.10.2019.*
- For Petitioner : Mr.J.Srinivasa Mohan*



W.P.No.13448 of 2021

WEB COPY

for M/s.TVJ Associates
For Respondents : Mr.R.Syed Mustafa, (for R1&2)
Special Government Pleader(Puducherry)
R3 to R22 (dispensed with)
Mr.Ravikumar Paul, Senior Counsel
for Ms.Janani Shankar
for Mr.D.Muthukumar (for R24-26)

W.P.No.28389 of 2021:

V.Jayabalaji

... Petitioner in

W.P.No.28389 of 2021

Vs.

- 1 The Union Territory Of Puducherry*
Represented By its Chief Secretary To Govt.
Puducherry-1.
- 2 The District Collector,*
Department of Revenue and Disaster Management,
Government of Puducherry,
Puducherry.
- 3 Udhayaraj*
Deputy Tahsildar, Department Of Revenue And
Disaster Management, U.T. of Puducherry
- 4 Kumaravel. K*
Deputy Tahsildar,
Department Of Revenue And
Disaster Management, U.T. of Puducherry
- 5 Pradeevi. A*
Deputy Tahsildar,



WEB COPY



W.P.No.13448 of 2021

- Department Of Revenue And
Disaster Management, U.T. Of Puducherry*
- 6 *D.Venkatraman
Deputy Tahsildar,
Department Of Revenue And
Disaster Management, U.T. Of Puducherry*
- 7 *R.Sellamuthu
Deputy Tahsildar, Department Of Revenue And
Disaster Management, U.T. Of Puducherry*
- 8 *K. Gopalakrishnan
Deputy Tahsildar Department Of Revenue And
Disaster Management, U.T. Of Puducherry*
- 9 *K.Bhuvaneswari
Deputy Tahsildar Department Of Revenue And
Disaster Management, U.T. Of Puducherry*
- 10 *Mathan Kumar
Deputy Tahsildar Department Of Revenue And
Disaster Management, U.T. Of Puducherry*
- 11 *Shalini
Deputy Tahsildar, Department Of Revenue And
Disaster Management, U.T. Of Puducherry*
- 12 *Ramachandran
Deputy Tahsildar, Department Of Revenue And
Disaster Management, U.T. Of Puducherry*
- 13 *J.Ravi Prakash,
Deputy Tahsildar, Department Of Revenue And
Disaster Management, U.T. Of Puducherry*
- 14 *A.Jothimani*



WEB COPY



W.P.No.13448 of 2021

- Deputy Tahsildar, Department Of Revenue And
Disaster Management, U.T. Of Puducherry*
- 15 *S.Couppan*
*Deputy Tahsildar, Department Of Revenue And
Disaster Management, U.T. Of Puducherry*
- 16 *S.Manikandan*
*Deputy Tahsildar, Department Of Revenue And
Disaster Management, U.T. Of Puducherry*
- 17 *D.Silambarasa*
*Deputy Tahsildar, Department Of Revenue And
Disaster Management, U.T. Of Puducherry*
- 18 *Shanthi*
*Deputy Tahsildar, Department Of Revenue And
Disaster Management, U.T. Of Puducherry*
- 19 *M.Shanmuganadham*
*Deputy Tahsildar, Department Of Revenue And
Disaster Management, U.T. Of Puducherry*
- 20 *N.Sendhilnathan*
*Deputy Tahsildar, Department Of Revenue And
Disaster Management, U.T. Of Puducherry*
- 21 *U.Segar*
*Deputy Tahsildar, Department Of Revenue And
Disaster Management, U.T. Of Puducherry*
- 22 *D.Santoche Coumar*
*Deputy Tahsildar, Department Of Revenue And
Disaster Management, U.T. Of Puducherry*
- 23 *M.Tamil Selvan*
- 24 *P.Muthukumaran*



W.P.No.13448 of 2021

WEB COPY

25 S.Ranthinaraj

26 P.Rajakumaran

27 Central Administrative Tribunal

Madras Bench Chennai 600 104

Represented By Its Registrar. ... Respondents

Prayer in W.P.No.28389 of 2021: Writ Petition filed under Article 226 of the Constitution of India, praying for the issuance of Writ of Certiorarified Mandamus, calling for the records of the 27th respondent in its common order dated 01.10.2019 in OA Nos. 1491 / 11 batch and to quash the same to the limited extent of directions contained in para 20 (1) thereof and consequential orders issued by the Special Secretary (Revenue) to Government, Revenue and Disaster Management, Puducherry and consequently clarify or direct the 27th Respondent to clarify its directions in para 20 (1) as applicable to the applicants in the relevant O.As alone and the merit list should be prepared and published based on cut off marks fixed in the original select list of 2010-11, paving way for the appointment of the petitioner in any of the existing vacancies with seniority from the date on which the initial appointment was given to respondents 3 to 26 without any back wages.

For Petitioner : Mr.J.Srinivasa Mohan
for M/s.TVJ Associates

For Respondents : Mr.R.Syed Mustafa, (for R1&2)
Special Government Pleader(Puducherry)
R3 to R22 (given up)



WEB COPY



W.P.No.13448 of 2021

Mr.R.Saravanan (for R24)

No appearance (for R23, 25 & 26)

Tribunal (for R27)

W.P.No.1488 of 2022:

S.Tharani

... Petitioner in

W.P.No.1488 of 2022

Vs.

1 Union Territory Of Pondicherry

Represented By The Secretary To Govt.

Department Of Personnel And Administrative

Chief Secretariat, Puducherry

2 Secretary To Government

for the Department of Revenue And Disaster Management,

Chief Secretariat Puducherry

3 The Special Secretary (Revenue)

Department of Revenue And Disaster Management

Puducherry

4 Udhayaraj

Deputy Tahsildar, Department Of Revenue And

Disaster Management, U.T. of Puducherry

5 Kumaravel. K

Deputy Tahsildar,

Department Of Revenue And

Disaster Management, U.T. of Puducherry

6 Predeevi. A

Deputy Tahsildar,



WEB COPY



W.P.No.13448 of 2021

- Department Of Revenue And
Disaster Management, U.T. Of Puducherry*
- 7 *D.Venkatraman
Deputy Tahsildar,
Department Of Revenue And
Disaster Management, U.T. Of Puducherry*
- 8 *R.Sellamuthu
Deputy Tahsildar, Department Of Revenue And
Disaster Management, U.T. Of Puducherry*
- 9 *K. Gopalakrishnan
Deputy Tahsildar Department Of Revenue And
Disaster Management, U.T. Of Puducherry*
- 10 *K.Bhuvaneswari
Deputy Tahsildar Department Of Revenue And
Disaster Management, U.T. Of Puducherry*
- 11 *Mathan Kumar
Deputy Tahsildar Department Of Revenue And
Disaster Management, U.T. Of Puducherry*
- 12 *Shalini.M
Deputy Tahsildar, Department Of Revenue And
Disaster Management, U.T. Of Puducherry*
- 13 *Ramachandran.C
Deputy Tahsildar, Department Of Revenue And
Disaster Management, U.T. Of Puducherry*
- 14 *J.Ravi Prakash,
Deputy Tahsildar, Department Of Revenue And
Disaster Management, U.T. Of Puducherry*
- 15 *A.Jothimani*



WEB COPY



W.P.No.13448 of 2021

- Deputy Tahsildar, Department Of Revenue And
Disaster Management, U.T. Of Puducherry*
- 16 *S.Couppan*
*Deputy Tahsildar, Department Of Revenue And
Disaster Management, U.T. Of Puducherry*
- 17 *S.Manikandan*
*Deputy Tahsildar, Department Of Revenue And
Disaster Management, U.T. Of Puducherry*
- 18 *Jancy Rani. R*
*Deputy Tahsildar, Department Of Revenue And
Disaster Management, U.T. Of Puducherry*
- 19 *N.Shanthi*
*Deputy Tahsildar, Department Of Revenue And
Disaster Management, U.T. Of Puducherry*
- 20 *M.Shanmuganadham*
*Deputy Tahsildar, Department Of Revenue And
Disaster Management, U.T. Of Puducherry*
- 21 *N.Sendhilnathan*
*Deputy Tahsildar, Department Of Revenue And
Disaster Management, U.T. Of Puducherry*
- 22 *U.Segar*
*Deputy Tahsildar, Department Of Revenue And
Disaster Management, U.T. Of Puducherry*
- 23 *D.Santoche Coumar*
*Deputy Tahsildar, Department Of Revenue And
Disaster Management, U.T. Of Puducherry*
- 24 *Prem Prakash*
- 25 *V.Vijay Prasanna*



W.P.No.13448 of 2021

WEB COPY

26 R.Kumaran

27 D.Jothi

28 Central Administrative Tribunal

Madras Bench Represented By Its Registrar.

Chennai 600 104

... Respondents

Prayer in W.P.No.1488 of 2022: Writ Petition filed under Article 226 of the Constitution of India, praying for the issuance of Writ of Certiorarified Mandamus, calling for the records of the 28th Respondent in its common order dated 01.10.2019 in OA. No. 267 / 12 and to Quash the same to the limited extent of directions contained in Para 20 (1) thereof and consequential orders issued by the Special Secretary (Revenue) to Government, Revenue and Disaster Management, Puducherry and Consequently clarify or direct the 28th Respondent to clarify its directions in para 20 (1) as applicable to the applicants in the relevant O.As alone and the merit list should be prepared and published based on cut off marks fixed in the original select list of 2010- 11, paving way for the appointment of the Petitioner in any of the existing vacancies with seniority from the date on which the initial appointment was given to respondents 4 to 23 without any back wages.

For Petitioner

: Mr.J.Srinivasa Mohan

for M/s.TVJ Associates



WEB COPY



W.P.No.13448 of 2021

For Respondents : Mr.R.Syed Mustafa, (for R1&2)
Special Government Pleader(Puducherry)
R3 to R22 (given up)
No appearance (for R24 to 27)
Tribunal (for R28)

COMMON ORDER

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

Under assail is the order dated 01.10.2019 and 23.03.2020 passed by the Central Administrative Tribunal, Chennai Bench in Miscellaneous Application.No.55 of 2020 in O.A.Nos. 1491/11, 1536 / 11, 267/12, 368/12, 89/13 and OA 413 / 2013.

2. *The issues relating to the process of selection pertaining to the recruitment notification dated 28.06.2010 for appointment to the post of Deputy Tahsildar were considered by the Tribunal and final order had been passed on 01.10.2019 in batch of Original Applications issuing directions to the respondents.*

3. *The grievances of the Writ Petitioners before us is that, the order of Central Administrative Tribunal has been implemented in respect of all the candidates, who participated in the process of selection, which resulted in denial of opportunity to the applicants. The Tribunal's orders are not extended to all the candidates participated in the process of selection. Therefore, the Central Administrative Tribunal ought to have clarified its own final order passed in the batch of Original Applications on 01.10.2019. Since the*



WEB COPY



W.P.No.13448 of 2021

Miscellaneous Applications seeking clarifications were rejected, the present Writ Petitions came to be instituted.

4. *The recruitment notification dated 28.06.2010 was issued by the Government of Puducherry for appointment to the post of Deputy Tahsildar. The in-service candidates and candidates from open market participated in the process of selection. The selection process was concluded in the year 2010 for 20 vacancies were notified.*

5. *As per the learned Special Government Pleader (Puducherry), the selection process was concluded on 23.11.2010. The selected candidates were appointed in the year 2010 itself. All the appointed candidates are now serving in the post of Deputy Tahsildar for the past about 14 years.*

6. *For the purpose of considering the present Writ Petition, it would be sufficient, if the Miscellaneous Petition filed by the petitioners seeking clarification of the final order dated 01.10.2019 is entertainable or otherwise.*

7. *The Tribunal held that no clarification is required, since the final order is unambiguous.*

8. *Mr.Ravikumar Paul, learned Senior counsel appearing on behalf of few petitioners would submit that the Tribunal order is to be implemented only in favour of the applicants, who approached the Tribunal and not to all the candidates, who participated in the process of selection. The Tribunal in concluding Paragraph No.20, directed the respondents to complete the process of revaluation and publish the merit list of the applicants in the Original Applications. When a specific direction has been issued to conduct*



WEB COPY



W.P.No.13448 of 2021

reevaluation in respect of the applicants, filed applications before the Tribunal, the respondents had erroneously reevaluated the answer sheets of all the candidates, who participated in the process of selection, which resulted in denial of opportunity to the applicants, approached the Central Administrative Tribunal, at the first instance.

9. *The submission made by the learned Senior counsel is supported by the other respective learned Counsels appearing on behalf of the petitioners.*

10. *Mr.R.Syed Mustafa, learned Special Government Pleader appearing on behalf of the Government/Respondents relied on the status report filed by the Special Secretary, Revenue and Disaster Management, Puducherry. He would submit that the Authorities have implemented the orders of the Tribunal in its letter and spirit by reevaluating the answer sheets of all the candidates participated in the process of selection. Once the Tribunal found that some of the questions are erroneous or wrong questions, the correctional measures ought to be implemented in respect of all the candidates. The Government cannot discriminate other candidates from the applicants, since it is a process of selection conducted for appointment to the post of Deputy Tahsildar.*

11. *After conducting reevaluation twice, pursuant to the orders of the Central Administrative Tribunal, the applicants are unsuccessful and they are not within the zone of consideration, except one applicant, namely Mrs.R.Rajalakshmi in O.A.No.89 of 2013. The said candidate, came within the zone of consideration was appointed by the*



WEB COPY



W.P.No.13448 of 2021

respondents. All other applicants in the Original Application were unsuccessful, evenafter the benefit of revaluation. Therefore, the rejection of Miscellaneous Application by the Tribunal is in order and all the Writ Petitions are to be rejected.

12. The directions issued by the Tribunal indicates that the respondents will complete the process of revaluation after distributing marks due to be given for deleted questions equally to the remaining questions and publish the merit list of the applicants, within a period of three months from the date of receipt of copy of the order. It is needless to state that once the process of revaluation is undertaken by the selection authorities/Government of Puducherry, and the marks are to be distributed, then in our view, the benefit is to be granted to all the candidates participated in the process of selection. Though the order indicates that the merit list of the applicants before the Tribunal is to be published, it is to be construed as the said publication is to be made in respect of all the candidates. The revaluation of marks due to be given for deleted questions, equally to the remaining questions ought to be granted for all the candidates participated in the process of selection. After completion of the said process, if the applicants are selected, then alone they are entitled to be appointed, but not otherwise.

13. Presuming that the benefit of distribution of marks due to be given for deleted questions are granted only to the applicants before the Tribunal, it would result in an anomalous situation, wherein many other unsuccessful



WEB COPY



W.P.No.13448 of 2021

candidates would also approach the Courts and it will open pandora's box. Whenever the process of selection is in question before the Court and it is set aside or directions are issued to reevaluate the papers, the said exercise must be done uniformly to all the candidates participated in the process of selection and discrimination in any form would result in unconstitutionality.

14. Equality clause enunciated under the Constitution is to be scrupulously applied in respect of all the candidates participated in the selection process. The candidates who have not approached the Court cannot be discriminated in the matter of grant of marks, more specifically, when the Court found that certain questions are deleted and revaluation is to be done. Even the Courts have repeatedly held that, the process of selection, if challenged before the Court, all the candidates who have participated need not be impleaded as respondents. The right of consideration being a fundamental right ensured under the Constitution, it cannot be restricted only to the candidates filed cases before Court of law. In such circumstances, it is the duty of the Government to ensure that the benefit of mistake committed by the selection authorities are rectified and extended to all the candidates. Thus, revaluation must be done to all the candidates participated in the selection process, since the Tribunal found some of the questions are wrong questions. As per the status report, revised list was published. Revaluation was done twice. Even after revaluation, none of the petitioners are within the zone of consideration, except one



WEB COPY

candidate namely Mrs.R.Rajalakshmi. The said candidate was appointed.

15. The legal position considered above is reiterated by the Hon'ble Supreme Court of India in the case of **Rishal and Others Vs. Rajasthan Public Service Commission and Others¹**, wherein the Court held that,

“27. In the affidavit filed by the Commission it is mentioned that the result has been revised of only 311 appellants who are before this Court. We are of the view that key answers having been corrected, merit of all the candidates except those who have already been selected needs to be redetermined. In our order dated 16-1-2018 [Richal v. Rajasthan Public Service Commission, 2018 SCC OnLine SC 749] it is mentioned that this exercise shall not affect those who have already been selected. We, thus, are of the view that the Commission should revise the entire result of all the candidates except those who have been selected on the basis of the report of the Expert Committee and publish revised result of all the candidates. When the key answers are correct of the candidates who appeared in the examination, they are entitled for revision of their result, since, fault does not lie with the candidates but lies with the examination body. It shall not be equitable to not extend the benefit to those candidates who have not come to the Court being satisfied with the steps taken by the Commission and its earlier Expert Committee which was given the task of revising the key answers.”

15. The Hon'ble Supreme Court in the case of **Ran Vijay Singh and Others Vs. State of Uttar Pradesh²**, held as follows,

“34. Having come to the conclusion that the High Court (the learned Single Judge [Ranjeet Kumar

¹ 2018 8 SCC 81

²



WEB COPY



W.P.No.13448 of 2021

Singh v. State of U.P., 2012 SCC OnLine All 268 : (2012) 4 All LJ 19] as well as the Division Bench [U.P. Secondary Education Service Selection Board v. State of U.P., 2015 SCC OnLine All 5788 : (2016) 3 All LJ 405]) ought to have been far more circumspect in interfering and deciding on the correctness of the key answers, the situation today is that there is a third evaluation of the answer sheets and a third set of results is now ready for declaration. Given this scenario, the options before us are to nullify the entire re-evaluation process and depend on the result declared on 14-9-2010 or to go by the third set of results. Cancelling the examination is not an option. Whichever option is chosen, there will be some candidates who are likely to suffer and lose their jobs while some might be entitled to consideration for employment.

35. Having weighed the options before us, we are of the opinion that the middle path is perhaps the best path to be taken under the circumstances of the case. The middle path is to declare the third set of results since the Board has undertaken a massive exercise under the directions of the High Court and yet protect those candidates who may now be declared unsuccessful but are working as Trained Graduate Teachers a result of the first or the second declaration of results. It is also possible that consequent upon the third declaration of results some new candidates might get selected and should that happen, they will need to be accommodated since they were erroneously not selected on earlier occasions.”

16. Thus, we found no reason to consider the Writ Petitioners for selection and appointment. All Appointments are to be made strictly in accordance with the Recruitment Rules in force. Mere availability of subsequent vacancies would not confer any right on the candidates to seek appointment. The current vacancies, must be filled through the process of recruitment and in accordance with the Service



W.P.No.13448 of 2021

WEB COPY

Rules in force.

17. With the above observations, all the Writ Petitions are disposed of. No costs. Consequently, the connected Miscellaneous Petitions, if any, are closed.”

2. In view of the aforesaid order passed by the Co-ordinate Bench of this Court, we are unable to take any different view.

3. Accordingly, the Writ Petition stands disposed of, in terms of the aforesaid order passed in W.P.No.13108 of 2021 etc. batch dated 07.11.2024. No costs. Connected miscellaneous petition is closed.

[M.S.R, J.]

[N.S, J.]

19.03.2025

Index: Yes/No

Speaking order/Non-speaking order

Internet: Yes/No

Neutral Citation: Yes/No

Sni



WEB COPY



W.P.No.13448 of 2021

M.S.RAMESH, J.
and
N. SENTHILKUMAR, J.

Sni

To

1.The Union Territory of Puducherry,
Rep. by the Chief Secretary to Government,
Puducherry – 1.

2.The District Collector,
Department of Revenue and Disaster Management,
Govt. of Puducherry, Puducherry.

3.The Registrar,
Central Administrative Tribunal,
Madras Bench, Chennai – 600 104.

W.P.No.13448 of 2021

19.03.2025