



W.P.No.17609 of 2025

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 03.06.2025

CORAM :

THE HONOURABLE MR.JUSTICE M.S.RAMESH
AND
THE HONOURABLE MR.JUSTICE V.LAKSHMINARAYANAN

W.P.No.17609 of 2025
and
W.M.P.No.19920 of 2025

Palepu Satya Priya

...Petitioner

vs.

- 1.Union of India,
rep. by the Government of Puducherry,
Through the Secretary to Government (Education),
Chief Secretariat, Puducherry.
- 2.The Director,
Directorate of School Education,
Anna Nagar, Puducherry.
- 3.The Registrar,
Central Administrative Tribunal,
Chennai Bench, Chennai.
- 4.Koppada Sivakumar

...Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying for the issuance of Writ of Certiorari, calling for the records relating to order dated 26.11.2024 in O.A.No.51 of 2016 passed by Central



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Administrative Tribunal, Chennai Bench and quash the same.

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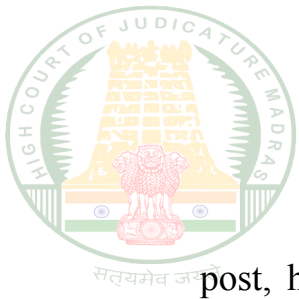
For Petitioner : Mr.Sai Srujan Tayi

ORDER

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

Heard Mr.Sai Srujan Tayi, learned counsel for the petitioner. In view of the final order to be passed in this Writ Petition, no prejudice would be caused to the respondents and hence, notice to the respondents is dispensed with.

2. The Directorate of School Education had published a notification dated 07.09.2010 inviting applications for recruitment to the post of Trainee Primary School Teacher on contract basis in the Directorate of School Education in Yanam Region. One of the essential education qualifications prescribed in the notification for a candidate is a pass in Higher Secondary or its equivalent with 50% marks in aggregate. When the petitioner herein realized that he had obtained only 46.9% marks in his intermediate examinations and that he was ineligible to apply for the said



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post, he had filed O.A.No.51 of 2016 before the Central Administrative Tribunal, Chennai Bench (hereinafter referred to as 'the Tribunal'), seeking to quash the educational eligibility qualification in the notification and for a consequential appointment. The Tribunal had observed that the employer has a right to set the eligibility standards for the candidates as per its policies and therefore declined to entertain the prayer sought for in the application and accordingly dismissed the same on 26.11.2024. This order of the Tribunal is assailed in the present Writ Petition.

3. It has been time and again held by the Constitutional Courts that the essential qualification for appointment to a post is within the exclusive domain of the State to prescribe and that Courts will not normally interfere with the discretion of the State.

4. The Hon'ble Supreme Court, in the case of ***Maharashtra Public Service Commission Vs. Sandeep Shriram Warade and Others*** reported in ***(2019) 6 SCC 362***, had upheld this proposition in the following manner:-

“9. The essential qualifications for appointment



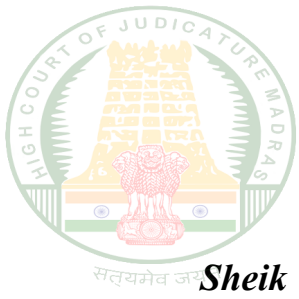
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to a post are for the employer to decide. The employer may prescribe additional or desirable qualifications, including any grant of preference. It is the employer who is best suited to decide the requirements a candidate must possess according to the needs of the employer and the nature of work. The court cannot lay down the conditions of eligibility, much less can it delve into the issue with regard to desirable qualifications being on a par with the essential eligibility by an interpretive re-writing of the advertisement. Questions of equivalence will also fall outside the domain of judicial review. If the language of the advertisement and the rules are clear, the court cannot sit in judgment over the same. If there is an ambiguity in the advertisement or it is contrary to any rules or law the matter has to go back to the appointing authority after appropriate orders, to proceed in accordance with law. In no case can the court, in the garb of judicial review, sit in the chair of the appointing authority to decide what is best for the employer and interpret the conditions of the advertisement contrary to the plain language of the same.”

5. Likewise, in the case of **Zahoor Ahmad Rather and Others Vs.**



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Sheik Imtiyaz Ahmad and Others reported in **(2019) 2 SCC 404**, the

Hon'ble Supreme Court had observed thus:-

“29. The State is entrusted with the authority to assess the needs of its public services. Exigencies of administration, it is trite law, fall within the domain of administrative decision-making. The State as a public employer may well take into account social perspectives that require the creation of job opportunities across the societal structure. All these are essentially matters of policy. Judicial review must tread warily.”

6. The aforesaid judgments are among several other dictums which reiterate that prescription of essential qualification in a recruitment notification is within the exclusive domain of the State policy and that the Constitutional Courts will not interfere with such decision-making process.

7. In the instant case, the learned counsel for the petitioner has not made any valid ground, so as to carve out an exception to the well settled principles stated above. The Tribunal also, in its order, had reiterated these well settled propositions and rejected the petitioner's claim.



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8. In our view, the order of the Tribunal does not require any interference. Accordingly, the Writ Petition stands dismissed. No costs. Consequently, connected miscellaneous petition is closed.

[M.S.R, J.] [V.L.N, J.]
03.06.2025

Index: Yes/No
Speaking order/Non-speaking order
hvk



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To

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