



W.P.No.26043 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 13.11.2025

CORAM

THE HONOURABLE MR. JUSTICE N.SATHISH KUMAR

AND

THE HONOURABLE MR. JUSTICE M.JOTHIRAMAN

W.P.No.26043 of 2025 and WMP.No.29304 of 2025

S.Arumugam

... Petitioner

Versus

1.The Union of India Rep by the
Government of Puducherry
through the Inspector of Police
Police Department, Puducherry

2.The Under Secretary to
Government (Home)-cum-Head of Office
Fire Service, Puducherry

3.The Superintendent of Police
Headquarters, Police Department
Puducherry .

.. Respondents

Prayer:- Writ Petition filed under Article 226 of the Constitution of India praying for a Writ of Certiorarified Mandamus, calling for the records of the order of the learned Central Administrative Tribunal, Madras Bench in O.A.No.120 of 2023 dated 25.06.2025 and to quash the same and consequently to direct the third respondent to appoint the petitioner to the post of Police Constable on the basis of merit obtained by the petitioner in the selection process with retrospective effect from the date on which the



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similarly qualified persons were appointed with all other consequential benefits including difference of wages, seniority etc,

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For Petitioner : Mr.K.M.Ramesh, Senior Counsel
for Mr.V.Ajayakumar
For Respondents : Mr.R.Syed Mustafa
Special Public Prosecutor (Pondy)

ORDER

(Order of the Court was made by **N.SATHISH KUMAR, J.**)

Challenge has been made to the order of the Tribunal dismissing the application filed by the petitioner for a direction to the respondents to extend the benefit of age relaxation and to consider the petitioner for appointment to the posts of Police Constable/Fireman and consequently to appoint the petitioner to any of the post of Police Constable/Fireman as per merit.

Brief background of the case is as follows:

2. The Government of Puducherry has issued a notification dated 26.11.2022 for the direct recruitment to the post of Police Constable (Group "C" – Non-Gazetted, Non-Ministerial) in the Police Department, Puducherry. The maximum age limit set out in the said notification is between 18 and 24* years of age as on 27.12.2022. Further, the age limit is

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also relaxable in respect of SC/OBC/MBC/BCM/EBC/BT/ST/Ex-Servicemen, Widows/Divorced Women/Women judicially separated from their husband who are re-married and meritorious sports person as detailed below:-

Category	Relaxation of Uupper Age Limit
OBC/MBC/BCM/EBC/BT	3 years
SC/ST	5 years
Ex-Servicemen (XSM) (For details of Reservation and Concession to XSM refer Part-IV of General Instructions to candidates)	Period of military service plus 3 years
Widows/Divorced Women/Women judicially separated from their husband who are re-married	Upto the age of 29* years (up to 34 years for SC & ST)
Meritorious Sports Person (For method of selection refer Part-II of General Instructions to candidates)	5 years (over and above the admissible relaxation of 5 years for SC/ST). Applicable only for candidates applying under MSP quota and there is no written test for them.

* Relaxation of two years in the upper age limit prescribed for the post of Police Constable has been provided as one time measure as per G.O.Ms.No.50, dated 29.07.2022 issued by the Department of Personnel and Administrative Reforms (Personnel Wing), Puducherry.



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3. It is the case of the petitioner that as per G.O.Ms.No.50, dated 29.07.2022, relaxation of two years in the upper age limit should be extended to him, therefore, according to him, two years has to be added so that he would be qualified which has not been done so. Further, during the submissions before the Central Administrative Tribunal, the petitioner also took a stand that he is also entitled to age relaxation for the purpose of sponsoring from the employment exchange as per the G.O.Ms.No.98/83-Lab/G/EE dated 24.08.1983 of Labour Department, Puducherry. The relevant portion of the said Government reads as follows:

"(a) Over aged candidates upto 35 years in cases where eligible candidates within the age limit are lacking

(b) over aged candidates upto 35 years who have been in the Live Register of Employment Exchange for more than 5 years continuously but have not been sponsored even once for any post

(c) Over aged candidates upto 35 years in respect of teaching/professional/technical posts, if such candidates are having specific experience in the instructions run by the Government or recognised by the Government



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However, the benefit of concession of age as stipulated above was not extended to the special categories of candidates viz., Scheduled Caste/Physically Handicapped/Ex-servicemen/Widow and Divorces women beyond the normal period of age concession available to them.

The matter has been carefully examined and it has been decided to extend similar benefit of concession of age to the special categories of candidates in addition to the normal age concession accorded to them"

4. However, the Tribunal has not considered the entire aspect and dismissing the application. Challenging the same, the present petition has been filed.

5. It is the contention of the learned counsel for the petitioner that the very notification itself provides for upper age limit is 24 years as on 27.12.2022 and since, the petitioner belongs to MBC category, he is entitled for further three years age relaxation as per the notification itself, therefore, if G.O.Ms.No.50, dated 29.07.2022 is included, he would fall within the age limit and the petitioner having allowed to participate the examination, he



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had secured more marks, viz., 102.50 and cut off marks for MBC category is only 88.50 marks. Therefore, age relaxation as per G.O.Ms.No.50, dated 29.07.2022 has to be provided for the petitioner and seeking for allowing this writ petition.

6. The relevant portion of the very notification dated 26.11.2022 reads as follows:-

II. AGE LIMIT

Between 18 and 24 years of age as on 27.12.2022. Further, the age limit is also relaxable in respect of SC/OBC/MBC/BCM/EBC/BT/ST/Ex-Servicemen, Widows/Divorced Women/Women judicially separated from their husband who are re-married and meritorious sports person as detailed below:-*

Category	Relaxation of Uupper Age Limit
<i>OBC/MBC/BCM/EBC/BT</i>	<i>3 years</i>
<i>SC/ST</i>	<i>5 years</i>
<i>Ex-Servicemen (XSM) (For details of Reservation and Concession to XSM refer Part-IV of General Instructions to candidates</i>	<i>Period of military service plus 3 years</i>
<i>Widows/Divorced Women/Women judicially separated from their husband who</i>	<i>Upto the age of 29* years (up to 34 years for SC & ST)</i>



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Category	Relaxation of Uupper Age Limit
<i>are re-married</i>	
<i>Meritorious Sports Person (For method of selection refer Part-II of General Instructions to candidates</i>	<i>5 years (over and above the admissible relaxation of 5 years for SC/ST). Applicable only for candidates applying under MSP quota and there is no written test for them.</i>

** Relaxation of two years in the upper age limit prescribed for the post of Police Constable has been provided as one time measure as per G.O.Ms.No.50, dated 29.07.2022 issued by the Department of Personnel and Administrative Reforms (Personnel Wing), Puducherry. "*

7. The age limit set out in the notification makes it clear that the maximum age is 24 years as on 27.12.2022 including the relaxation given under the G.O.Ms.No.50 dated 29.07.2022, the very purpose of marking asterisk mark between 18 and 24 years clearly indicate that the two years granted in Government Order has already been included. Thereafter, further three years is provided as relaxation of upper age limit to the petitioner, since, he belongs to MBC Category. Admittedly, the petitioner as on 27.12.2022, as crossed 27 years age, i.e., 27 years and 2 months and 15 days which fact is not in dispute. Now the contention of the petitioner is that two



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years relaxation granted in the G.O.Ms.No.50 dated 29.07.2022 has to be provided to the petitioner, therefore, he would be qualified for the post of police constable. Such contention cannot be countenanced for the simple reason that having extended the age benefit under G.O.Ms.No.50 dated 29.07.2022, viz., already and also the upper age limit is included in the very notification itself, once again, there cannot be any double benefit to the petitioner. Hence, the contention of the petitioner has no legs to stand.

8. Further, the petitioner has also sought to take advantage of other Government Order in G.O.Ms.No.98/83-Lab/G/EE dated 24.08.1983 of Labour Department, Puducherry. On a careful perusal of the said Government Order, as rightly, held by the Tribunal, to apply the said Government Order, he must have been registered with the employment exchange and he should have been above the age of 30 years of age. Therefore, that Government Order cannot be applied to the petitioner herein.

9. Now, it is stated by the learned counsel for the petitioner that the petitioner has obtained more marks and sort of only two months and 15 days



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as over aged, therefore, he should have been accommodated for the post of police constable. We are afraid of such contention. Every notification has to be strictly in consonance with the recruitment rules and the Court cannot show any benevolence.

10. Considering the fact that the G.O.Ms.No.50 dated 29.07.2022 is already applied and the upper age limit is fixed, the petitioner now cannot contend that he is entitled to further two years for extension. Such view of the matter, we do not find any merits in this petition. Accordingly, this writ petition stands dismissed. No costs. Consequently, connected miscellaneous petition stands closed.

[N.S.K.,J.] [M.J.R.,J.]
13.11.2025

Index: Yes/No
Neutral Citation: Yes/No
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N.SATHISH KUMAR, J.,
AND
M.JOTHIRAMAN, J.,

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To,

- 1.The Inspect of Police
The Union of India
Government of Puducherry
Police Department, Puducherry
- 2.The Under Secretary to
Government (Home)-cum-Head of Office
Fire Service, Puducherry
- 3.The Superintendent of Police
Headquarters, Police Department
Puducherry .

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