



W.P.No.25584 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 15.07.2025

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THE HONOURABLE MR.JUSTICE C.KUMARAPPAN

W.P.No.25584 of 2025

And

W.M.P.Nos.28756, 28757 and 28758 of 2025

M.Sudha

... Petitioner

Vs.

- 1.The Union of India,
Represented by its The Secretary to Government,
Department of Personnel and Training,
Ministry of Personnel, Public Grievances and Pensions,
A Wing, 3rd Floor, Loknayak Bhawan,
Khan Market, New Delhi – 110 001.
- 2.The Ministry of Home Affairs,
Represented by its Joint Secretary,
Central Secretariat, North Block,
New Delhi – 110 001.
- 3.The Union Territory of Puducherry,
Represented by its Secretary to Government – Personnel,
Chief Secretariat, Goubert Avenue,
Puducherry – 605 001.
- 4.The Secretary to Government of Puducherry,
The Department of Health and Family Welfare,
Chief Secretariat, Goubert Avenue,
Puducherry – 605 001.
- 5.The Secretary to Government of Puducherry,
The Department of Social Welfare,
Chief Secretariat, Goubert Avenue,
Puducherry – 605 001.

... Respondents



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Petition filed under Article 226 of the Constitution of India to issue a Writ of Certiorarified Mandamus calling for the entire records relating Impugned Memorandum Dated: 06.03.2020 passed by the third respondent in his Memorandum No.A.12028/1/2015/DPAR/CCD(2) dated: 06.03.2020 and its consequential Recruitment Notification by the fourth respondent for the Post of ANM/ maternity Assistant in Notification No.A.12020/1/E1/2025/DHFWS Puducherry Dated: 02.06.2025 and quash the same as illegal and consequentially grant age relaxation of 8 years (3 years + 5 years) for the meritorious sports person under the OBC Category.

For Petitioner : Mr.A.M.Kamalanath

For Respondents : Mr.J.Vasu for R1 and R2
Senior Panel Counsel
Ms.G.Djearamy for R3 to R5
Government Advocate (Pondy)

O R D E R

Mr.J.Vasu, learned Senior Panel Counsel takes notice on behalf of the respondents 1 and 2. Ms.G.Djearamy, learned Government Advocate (Pondy) takes notice on behalf of the respondents 3 to 5. By consent, the writ petition is taken up for final disposal at the admission stage itself.



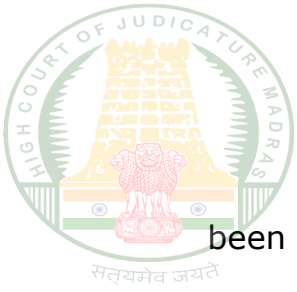
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2.The instant writ petition has been filed challenging the impugned order dated 06.03.2020.

3.The learned counsel appearing for the petitioner would submit that the petitioner had applied for the post of ANM/ Maternity Assistant. The learned counsel would further submit that the petitioner has actively participated in Inter – University Handball Tournament held at Annamalai University, Chidambaram from 2006 to 2013 and would come within the definition of Meritorious Sports Person. The learned counsel would further submit that vide Official Memorandum dated 04.08.1980, the Meritorious Sports Persons [MSP] belonging to OBC category were given five years age relaxation and the Meritorious Sports Persons belonging to SC and ST category were given ten years age relaxation, however, age relaxation given to persons belonging to OBC category was withdrawn vide Official Memorandum dated 06.03.2020 which would affect the petitioner's right to life as the chance of getting the job will get affected.

4.Per contra, the learned Government Advocate (Pondy) would vehemently contend that Official Memorandum dated 06.03.2020 has



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been taken in pursuance of policy decision and such policy decision is not amenable for judicial review.

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5.I have given my anxious consideration to either side submissions.

6.As rightly contended by the learned counsel appearing for the petitioner, though age relaxation was given to the sports persons belonging to OBC category, such age relaxation was clarified vide impugned memorandum dated 06.03.2020, wherein it has been categorically stated that the age relaxation either can be obtained under the communal category or under the MSP category and that the candidate is not eligible to have both MSP category as well as communal category.

7.As rightly contended by the learned Government Advocate (Pondy), it is purely a policy decision that too issued based upon the communication of Ministry of Home Affairs. Therefore, this Court does not find any ground to interfere with the impugned memorandum dated 06.03.2020.



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8.However, the learned counsel appearing for the petitioner would submit that he has already sent representation to the fourth respondent on 23.06.2025. If such representation is received by the fourth respondent, the fourth respondent is directed to dispose of the same upon its own merits and in accordance with law and pass orders, within a period of eight weeks from the date of receipt of a copy of this order.

9.The writ petition is disposed of. No costs. Consequently, connected miscellaneous petitions are closed.

15.07.2025

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Index: Yes/ No
Speaking Order: Yes/ No
NCC: Yes/ No

To

- 1.The Union of India,
Represented by its The Secretary to Government,
Department of Personnel and Training,
Ministry of Personnel, Public Grievances and Pensions,
A Wing, 3rd Floor, Loknayak Bhawan,
Khan Market, New Delhi – 110 001.
- 2.The Ministry of Home Affairs,
Represented by its Joint Secretary,
Central Secretariat, North Block,
New Delhi – 110 001.

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- 3.The Union Territory of Puducherry,
Represented by its Secretary to Government – Personnel,
Chief Secretariat, Goubert Avenue,
Puducherry – 605 001.
- 4.The Secretary to Government of Puducherry,
The Department of Health and Family Welfare,
Chief Secretariat, Goubert Avenue,
Puducherry – 605 001.
- 5.The Secretary to Government of Puducherry,
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