



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 16-06-2026

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THE HON'BLE MR.JUSTICE S.M.SUBRAMANIAM
AND
THE HON'BLE MR.JUSTICE N.SENTHILKUMAR

W.P.No.10326 of 2026 and
W.M.P.No.11194 of 2026

1. Union of India,
Rep. by the Govt. of Puducherry
through the Secretary to Govt
for Department of Personnel and
Administrative Reforms,
Chief Secretariat, Puducherry.
2. The Director of School Education
Education Department,
Puducherry.

... Petitioners

-VS-

1. M.Udayakumar
2. S.Kayalvizhi
3. P.Senthamarai
4. S.Balasankar
5. V.Moganeradjou
6. S.Selvaraj
7. M.Balasubramanyam
8. V.Murugaiyan
9. Vittal Gunasekharan (Retired)
10. R.Palanivel
11. A.Patchaiyappan
12. P.Irusappan

... Respondents

Prayer: Calling for the records pertaining to the Order passed in O.A.No.310/1075/2017, dated 25.07.2023 on the file of the Hon'ble Central Administrative Tribunal, Chennai Bench and quash the same.



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For Petitioners:

Mr.R.Syed Mustafa,
Spl. Govt. Pleader, Puducherry

For Respondents:

Mr.G.Shanmugam for R1, R4, R8 & R12,
No Appearance for R2, 5, 7 & 11,
Not Ready in Notice for R3, 6, 9 & 10

ORDER**(Order of the Court was made by S.M.Subramaniam J.)**

The order of Central Administrative Tribunal (CAT), Chennai Bench dated 25.07.2023 passed in O.A.No.310/1075/2017 is under challenge in this writ petition.

2. Union of India preferred the present writ petition, challenging the order of CAT, mainly on the ground that services of Co-Terminus has been terminated on expiry of term of Authority, who engaged the Co-Terminal employee.

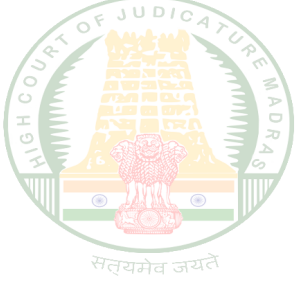
3. Respondents admittedly were engaged as Co-Terminus employees. On the expiry of term of their employer from the post, their services also expired. However, they have approached CAT, seeking regularization of their service. Admittedly, Co-Terminus employees are appointed at the choice of Authorities and no recruitment process has



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been undertaken. The Authority at his wish appoints a Co-Terminus and their appointment stands terminated on expiry of their term of office. The claim of respondents for regularization since rejected by Government, Original Application has been filed before Tribunal. CAT passed an order, directing the respondents to verify the factual aspect and if it is found that applicants are still in service, they may examine their case for regularization in the light of the order passed by this Court in W.P.No.12700 of 2012 and pass appropriate orders within a period of three months.

4. The impugned order of CAT lost its relevance on account of the fact that respondents / Co-Terminus were already terminated from service by the Authority vide proceedings dated 05.07.2018. The said fact was not brought to the notice of CAT at the time of final hearing of the application and therefore, CAT directed Government to examine the case. Since the order of termination remains unchallenged, re-examining the case of respondents would not arise at all. CAT also states that if at all respondents continue to be in service, then alone their case has to be considered. But they were terminated on 05.07.2018 itself and the order of termination also became final. That being the factum, CAT order impugned in O.A.No.310/1075/2017 dated 25.07.2023 is set aside.



S.M.SUBRAMANIAM,J.
AND
N.SENTHILKUMAR,J.
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Consequently, the present Writ Petition is allowed.

Connected Miscellaneous Petition is closed. No costs.

(S.M.S.,J.) (N.S.,J.)
16-06-2026

Index: Yes/No
Speaking/Non-speaking order
Neutral Citation: Yes/No
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W.P.No.10326 of 2026