



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 01-06-2026

CORAM

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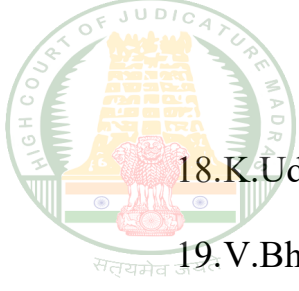
THE HON'BLE MR JUSTICE S. M. SUBRAMANIAM

AND

THE HON'BLE MR.JUSTICE N.SENTHILKUMAR

WP No. 15238 of 2026

1. I.Manikandan
2. I.Amardheen
3. S.Selvamani
4. A.Udhayaprakash
5. S.Sathishkumar
6. N.Tamilarasan
7. R.Iyyappan
8. S.Anbarasi
9. G.Manibharathi
10. A.Uthayakumar
11. K.Rameshkumar
- 12.K.Muthu Malar
- 13.B.Muthazhagan
14. J.Parthasarathi
- 15.P.Prakash
- 16.N. Ramanjaneyulu
17. K.Surendiran



18.K.Udhayachandran

19.V.Bharathi

20.C.Sabarinathan

21. L.S. Leelavati

22.P.Rajeswari

23.N.Jayavel

24.. S.Agila

25.V. Subash

26.N.Vimal

27.D.Tamilselvan

28.R.Premkumar

29.S.Boranit

30.. S.Karl Marx

31.S.Muthulakshmi

32.R.Karthik

33.B.Prakash

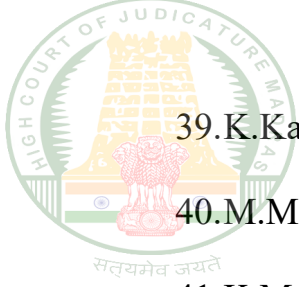
34. K.Karthikeyan

35.M.Nithyanandhan

36.D. Kalpana

37.N.Sivamani

38.N.Sathiyabama



39.K.Kathavarayan

40.M.Mangalasundari

41.K.Manimaran

42.J.Vimala

43.K.Thirukumaran

44.M.Ilango

45. A.Artchana

46. D.Edmond Doure

47. T.Ananthan

48. R.Thivya

49. R.Nasreth Philip

50. K.Jayakumar

51. K.Kanniarman

52. N.Anandavelu

53.R.Rathish

54.K.Ramesh

55.V.Jankakiraman

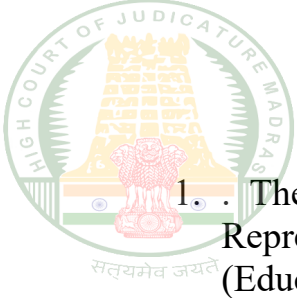
56.R.Visvanathan

57. K.Murugan

58.T.Indumathi

59. C.Prabu

..Petitioner(s)



Vs

1. . The Government of Puducherry
Represented by the Under Secretary
(Education)
Chief Secretariat Building on Beach Road,
White Town, Puducherry-605 001.

2. The Government of Puducherry
Represented by the Secretary to Government,
Department of School Education,
Chief Secretariat Building on Beach Road,
White Town, Puducherry-605 001.

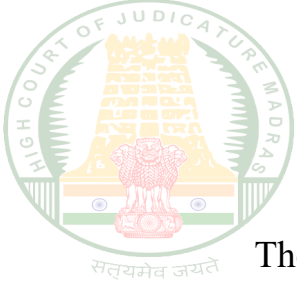
3. The Director of School Education,
Directorate of School Education
Government of Puducherry,
Perunthalaivar Kamarajar Centenary
Educational Complex,
100 Feet Road, Anna Nagar,
Puducherry 605 005.

..Respondent(s)

Writ Petition filed under Article 226 of the Constitution of India issuing writ of declaration for declaring G.O.Ms.No.28, Directorate of School Education (Secretariat Wing), dated 28.08.2023 issued by the 1st Respondent as arbitrary and violative article 14 and 16 of the Constitution of India in so far as Clause II B (ii) of the said GO stipulates that the method drawal of merit list for the post of Physical Education Teacher is 90 percent weightage for the essential qualification in the respective discipline and 10 percent weightage for employment seniority without drawing the merit list for the post of Physical Education Teacher based on Open Competitive written examination.

For Petitioner(s): Ms.Nalani Chidambaram,
Senior Counsel for
Ms.C.Uma

For Respondent(s): Mr.R.Syed Mustafa,
Special Government Pleader (Pondy)

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

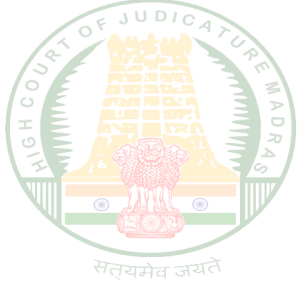
The present writ petition has been instituted to declare G.O.Ms.No.28, Directorate of School Education (Secretariat Wing), dated 28.08.2023 issued by the 1st Respondent as null and void.

2. Learned Special Government Pleader (Pondicherry) would raise a preliminary objection regarding maintainability of the writ petition on the ground that Education Department of Pondicherry has already been notified under the Administrative Tribunals Act, 1985. Therefore, an aggrieved person has to prefer an original application before the Central Administrative Tribunal. In respect of the similar prayer, batch of petitioners have filed writ petition in W.P.No.5888 of 2026, and the learned Single Judge dismissed the writ petition granting liberty to the petitioners to approach the Central Administrative Tribunal.

3. Pertinently, issues regarding maintainability of such writ petitions before the High Court has been decided by the Hon'ble Supreme Court of India in the case of ***Rajeev Kumar and Another Vs. Hemraj Singh Chauhan and Others***¹

“11. On a proper reading of the abovequoted two sentences, it is clear:

¹ 2010 4 SCC 554



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(a) The tribunals will function as the only court of first instance in respect of the areas of law for which they have been constituted.

(b) Even where any challenge is made to the vires of legislation, excepting the legislation under which tribunal has been set up, in such cases also, litigants will not be able to directly approach the High Court “overlooking the jurisdiction of the tribunal”.

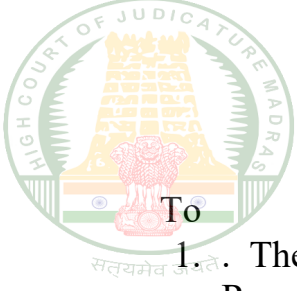
4. In the present case, Education department since notified, the petitioner has to file an original application before the Central Administrative Tribunal.

5. By granting liberty to the petitioner to approach the Central Administrative Tribunal, the present writ petition is dismissed. No costs. Consequently, the connected miscellaneous petitions, if any, are closed.

(S.M.S.,J.) (N.S.,J.)
01-06-2026

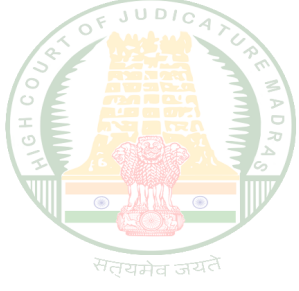
Index: Yes/No
Speaking/Non-speaking order
Neutral Citation: Yes/No

GD



To

1. The Government of Puducherry
Represented by the Under Secretary
(Education)
Chief Secretariat Building on Beach Road,
White Town, Puducherry-605 001.
2. The Government of Puducherry
Represented by the Secretary to Government,
Department of School Education,
Chief Secretariat Building on Beach Road,
White Town, Puducherry-605 001.
3. The Director of School Education,
Directorate of School Education
Government of Puducherry,
Perunthalaivar Kamarajar Centenary
Educational Complex,
100 Feet Road, Anna Nagar,
Puducherry 605 005.



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**S.M.SUBRAMANIAM, J.
AND
N.SENTHILKUMAR, J.**

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