

**CENTRAL ADMINISTRATIVE TRIBUNAL
CHENNAI BENCH**

O.A.No.1581/2018

Dated Friday, the 30th day of November, 2018

PRESENT

Hon'ble Mr.R.Ramanujam, Administrative Member

&

Hon'ble Mr.P.Madhavan, Judicial Member

- 1.J.Jacqueline
- 2.K.Thennarasi
- 3.R.Thenmozhi
- 4.J.Mekaladevi
- 5.S.Rathinacoumary
- 6.L.Kirouchenaveny
- 7.N.Shanthi
- 8.S.Akilandeswari
- 9.G.Deepa
- 10.M.Shanthi

...Applicants

By Advocate M/s G.Pavendhan

Vs.

- 1.Union of India, rep.,
by The Chief Secretary
to Government of Puducherry,
Chief Secretariat,
Government of Puducherry,
Puducherry.

2. Secretary to Government,
(Education Department),
Chief Secretariat,
Government of Puducherry,
Puducherry.

3. Director of School Education,
Perunthalaivar Kamarajar Centenary
Educational Complex, 100 Feet Road,
Anna Nagar, Puducherry.

...Respondents

(Order: Pronounced by Hon'ble Mr.R.Ramanujam, Member(A))

Heard. MA 657/2018 filed by the applicants for joining together and file a single OA is allowed.

2. The applicants have filed this OA under Section 19 of the Administrative Tribunals Act, 1985 seeking the following reliefs:

“(a)To set aside the Notification No.29118/DSE/Estt.II/D/2018 dated 30.10.2018 issued by the respondent and the Government of Puducherry, Education Department Balasevika Group 'C' Recruitment Rules, 2014 published in G.O.Ms.No.27, Puducherry dated 17.04.2014 passed by the respondent in so far as they prescribed the age limit to 18 to 30 years for direct recruitment to the post of Balasevika and consequently direct the respondent to grant relaxation in respect of age and increase the age limit from 30 to 42 years for general category with usual relaxation as has been requested by the applicants in their respective representations and

(b)Pass such further orders as are necessary to meet the ends of justice.

(c)Award costs and thus render justice.”

3. It is submitted that the applicants were aggrieved by the age limit prescribed in Annexure A-87 notification of the respondents for empanelment as Guest Balasevikas/Guest Teachers in teaching cadres on contract basis. It is alleged that the respondents had made no recruitment to the said post in accordance with the Recruitment Rules for more than 10 years during which period the applicants had become overaged for no fault of theirs. Had the vacancies been notified during this time, the applicants would have been eligible and stood a chance of selection. Accordingly the OA is liable to be allowed and the impugned notification set aside.

4. It is further submitted that the applicants had made representations to the respondents for relaxation of the age limit for which the Lieutenant Governor is the competent authority. As a provision exists for relaxation, the applicants are entitled to the same as it is on valid grounds, it is contended.

5. We have considered the prayer. It is not the applicants' case that they are existing contract employees who are affected by the fresh notification. It is also not substantiated that no recruitment was made to the said post in the last 10 years either on contract/adhoc or regular basis. As such, this is not a fit case for the Tribunal's interference. Nevertheless, since it is submitted that the applicants have made representations to the competent authority seeking age relaxation, it is for the competent authority to consider the same and take an appropriate decision.

6. OA is disposed of at the admission stage with the above observations.

(P.MADHAVAN)
MEMBER(J)

(R.RAMANUJAM)
MEMBER (A)

30.11.2018

M.T.