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Writ Petition Nos.19801, 19806, 19809, 19811,
19833 & 19836 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

RESERVED ON 19.02.2026	PRONOUNCED ON 06.03.2026
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CORAM
THE HONOURABLE MR. JUSTICE C.V. KARTHIKEYAN
AND
THE HONOURABLE MR. JUSTICE K.KUMARESH BABU

Writ Petition Nos.19801, 19806, 19809, 19811,
19833 & 19836 of 2025
and W.M.P.Nos.22251, 22349, 22341, 22259,
22266 & 2267 of 2025

1.Union of India,
Represented by the Government of Puducherry,
through the Chief Secretariat, Puducherry.

2.The Director,
Directorate of Health and Family Welfare,
Puducherry

... Petitioners in all W.Ps

Vs

1.Dr.C.Saraswathy
1.Dr.A.Senthamizh
1.Dr.R.Rajkumar
1.Dr.Ramkumar R
1.Dr.A.V.Tharani
1.Dr.V.Madan

... Respondent in W.P.No.19801 of 2025
... Respondent in W.P.No.19806 of 2025
... Respondent in W.P.No.19809 of 2025
... Respondent in W.P.No.19811 of 2025
... Respondent in W.P.No.19833 of 2025
... Respondent in W.P.No.19836 of 2025

2.Secretary,
Union Public Service Commission,

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New Delhi.



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... Respondent in all W.Ps

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PRAYER in W.P.No.19801 of 2025:- Writ Petition filed under Article 226 of the Constitution of India praying for issuance of Writ of Certiorari to call for the records relating to the impugned order passed by the Hon'ble Central Administrative Tribunal, Chennai Bench in common order in Original Application No.1645 of 2014 dated 02.07.2024 and quash the same and pass further orders.

PRAYER in W.P.No.19806 of 2025:- Writ Petition filed under Article 226 of the Constitution of India praying for issuance of Writ of Certiorari to call for the records relating to the impugned order passed by the Hon'ble Central Administrative Tribunal, Chennai Bench in common order in Original Application No.1659 of 2014 dated 02.07.2024 and quash the same and pass further orders.

PRAYER in W.P.No.19809 of 2025:- Writ Petition filed under Article 226 of the Constitution of India praying for issuance of Writ of Certiorari to call for the records relating to the impugned order passed by the Hon'ble Central Administrative Tribunal, Chennai Bench in common order in Original Application No.1646 of 2014 dated 02.07.2024 and quash the same and pass further orders.

PRAYER in W.P.No.19811 of 2025:- Writ Petition filed under Article 226 of the Constitution of India praying for issuance of Writ of Certiorari to call for the records relating to the impugned order passed by the Hon'ble Central
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Administrative Tribunal, Chennai Bench in common order in Original Application No.1661 of 2014 dated 02.07.2024 and quash the same and pass further orders.

PRAYER in W.P.No.19833 of 2025:- Writ Petition filed under Article 226 of the Constitution of India praying for issuance of Writ of Certiorari to call for the records relating to the impugned order passed by the Hon'ble Central Administrative Tribunal, Chennai Bench in common order in Original Application No.1750 of 2014 dated 02.07.2024 and quash the same and pass further orders.

PRAYER in W.P.No.19836 of 2025:- Writ Petition filed under Article 226 of the Constitution of India praying for issuance of Writ of Certiorari to call for the records relating to the impugned order passed by the Hon'ble Central Administrative Tribunal, Chennai Bench in common order in Original Application No.1751 of 2014 dated 02.07.2024 and quash the same and pass further orders.

In all W.Ps

For Petitioners : Mr.A.R.L.Sundaresan
Additional Solicitor General of India
assisted by Mr.R.Syed Mustafa
Special Government Pleader (Pondy)

For Respondents: Mr.V.Ajaya Kumar for R1

: Mr.V.Chandrasekaran for R2



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COMMON ORDER

(Order of the Court was made by Mr.K.KUMARESH BABU.,J.)

These writ petitions have been filed by petitioners challenging the common order of the Tribunal passed in O.A.Nos.1645, 1659, 1646, 1661, 1750 & 1751 of 2014, dated 02.07.2024.

2. Heard Mr.A.R.L.Sundaresan, learned Additional Solicitor General of India assisted by Mr.R.Syed Mustafa, learned Special Government Pleader (Puducherry) for the petitioners, Mr.V.Ajaya Kumar, learned counsel appearing on behalf of first respondent(s) and Mr.V.Chandrasekaran, learned counsel appearing on behalf of second respondent in all Writ Petitions.

3. Mr.A.R.L.Sundaresan, learned Additional Solicitor General appearing on behalf of the petitioners would submit that the that the respective private respondents in all the Writ Petitions were engaged as a General Duty Medical Officer in the second petitioner Department on contractual basis. He would submit that the post of General Duty Medical

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Officer is governed by the Puducherry Health Services (Allopathy) Rules

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1998 which is a statutory recruitment Rule framed in exercise of powers conferred in Article 309 of the Constitution. They were initially appointed on contract basis by a process of walk-in interview for a period of 120 days and the said engagement was continued. He would submit that the said engagement/ re-engagement was made on contract basis as such as stop-gap arrangement to tide over the temporary vacancies that arose due to unauthorised absence/desertion from service/ resignation and voluntary retirement until the posts were filled up by the candidates selected through the second respondent in UPSC. He would submit that the second respondent also conducted recruitment process for filling up the post of General Duty Medical Officers in which the private respondents have also participated and had failed to secure the recruitment.

4. He would submit that having failed in their attempt to get a regular recruitment, they have attempted to seek for regularisation and had approached the Tribunal in their respective Original Applications seeking for a direction to regularise their services with effect from their initial date of appointment on contract basis with consequential benefits. The Tribunal had

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issued directions to the petitioners to comply with the directions issued by

the Hon'ble Apex Court in its judgment made in ***Kailash Ben T.Solangi's***

case in Civil Appeal Nos.13999-14000 of 2015 dated 11.05.2023. He would

submit that the Tribunal wholly erred in following the aforesaid judgment

where in the aforesaid judgment the Hon'ble Apex Court had clearly

recorded that the relief that had been granted is on the peculiar facts and

circumstances of that case and had also indicated that the same cannot be

treated as a precedent in case of other contractually appointed employees.

He would submit that the respondents were only engaged on contractual

basis and such appointments were not based upon the principles mandated

under the Recruitment Rules to the said post and also that the Rules of

Reservation have not been followed. Hence, such directions issued would

only encourage a back-door method of getting appointment to a public post

and therefore, he seeks indulgence of the orders impugned in this Writ

Petition.

5. Countering his arguments, Mr.V.Ajaya Kumar learned counsel

appearing for the private respondents on the other hand would contend that

the respondents are all fully qualified to be appointed to the said post. He

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would submit that notifications were issued and the private respondents were

all sponsored by the employment exchange. The petitioners have also conducted interview on different dates and only on the performance in the interview, they have been appointed on contractual basis on a consolidated pay. He would further submit that on the very same set of facts, Duty Medical Officers appointed on contractual basis, who were benefitted with the order of regularisation by the Tribunal, which was over-turned by this Court, had approached the Hon'ble Apex Court in Civil Appeal Nos.13999 to 14000 of 2015 and the Hon'ble Apex Court considering the claims of the appellants therein held that such contractual employees deserved protection with service benefits.

6. He would submit that the private respondents are all similarly placed persons who are appointed to the service during the relevant point of time. Therefore, he would submit that even though, the Hon'ble Apex Court had held that the same should not be a precedent, as the private respondents were all also appointed as Duty Doctors along with the appellants therein, the relief granted by the Hon'ble Apex Court should also be extended to these respondents on the same terms of benefit that was extended by the

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Hon'ble Apex Court. Hence, he would seek dismissal of the Writ Petitions.

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7. We have considered the submissions made by the learned counsels appearing on either side and perused the materials available on record.

8. The Tribunal had wholly relied upon the judgment of the Hon'ble Apex Court dated 11.05.2023 made in Civil Appeal Nos.13999-14000 of 2015. A perusal of the aforesaid judgment would indicate that the appellants therein were also appointed as Duty Medical Officers on contractual basis and had also failed in their attempt in the recruitment process with regard to Group-A post. The Tribunal had also directed regularisation of their services, however, the Division Bench of this Court had over-turned the same and it was the subject matter of the litigation before the Hon'ble Apex Court in the aforesaid Civil Appeals. The Hon'ble Apex Court terming the case of the appellants therein, as one of extreme hardship as they have been continuously working on contract basis, had held that their services deserved to be protected with certain service benefits and had granted them the relief of regularisation, however, only notionally and monetary benefits had to be given effect only from 01.06.2023.

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9. We had also occasion to deal with services of Ayurveda Physicians,

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Siddha Physicians and Assistant Surgeons in the Directorate of Indian System of Medicine and Homeopathy, Puducherry. We had in the said case noted a later judgment of the Hon'ble Apex Court in a civil appeal arising out of the SLP (Civil) No.30762 of 2024 in the case of ***Bhola Nath Vs State of Jharkhand and Others***. Applying the ratio laid down by the Hon'ble Apex Court in the aforesaid judgment, we had held that the contractual employees who have been continuously engaged by the Government for more than a decade would be entitled for regularisation from the date of initial appointment while affirming the order of the Tribunal granting regularisation. It is also to be noted that the Tribunal in the said case had entitled them for monetary benefits with effect from 01.06.2023 and we have also interfered with the same by holding that they would be entitled for monetary benefits only from the date of the order made by the Tribunal.

10. In the present case, by applying the principles laid down by the Hon'ble Apex Court in ***Bhola Nath's*** case which we have also followed, we are of the view that the private respondents are entitled for regularisation. But, however, they would be entitled for regularisation and all other

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consequential benefits only notionally and they would not be entitled for any

arrears of monetary benefits based on such notional benefits, and same shall accrue to them from the date of the order made by the Tribunal. It is made clear that such notional benefits can be taken into consideration at the time of calculating the terminal benefits for the respective respondents.

11. In fine, these Writ Petitions fails and accordingly, stands dismissed for the aforesaid observations indicated above. However, there shall be no order as to costs.

(C.V.K.,J.)

(K.B., J.)

06.03.2026

Index: Yes/No
Speaking Order/Non Speaking Order
Neutral Citation: Yes/No
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To
The Secretary,
Union Public Service Commission,
New Delhi.

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C.V. KARTHIKEYAN., J.
and
K.KUMARESH BABU.,J.

Gba

A Pre-delivery judgment made in
Writ Petition Nos.19801, 19806, 19809, 19811,
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