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WP No. 11339 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 26-03-2026

CORAM

THE HON'BLE MS. JUSTICE P.T. ASHA

WP No. 11339 of 2026

R.Kanagaraj
S/o.M.Rajadurai,
Regn. No.136794 (Tamil Nadu Medical Council)
128H, New Street, Kalki Cross,
Thiruvavarur-610 001

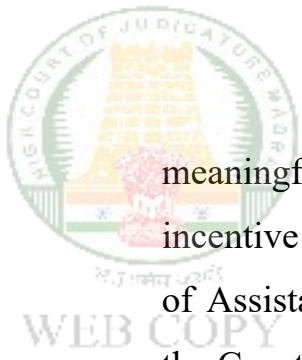
..Petitioner(s)

Vs

1. The State of Tamil nadu
Rep. by its Secretary,
Health and Family welfare Department,
Fort St. George, Chennai-600 009
2. The Chairman
Medical Services Recruitment Board (MRB)
7th Floor, DMS Building, 359 Anna Salai,
Teynampet, Chennai-600 006
3. The Director of medical and Rural health services
7th Floor, DMS Building, 359 Anna Salai,
Teynampet, Chennai-600 006

..Respondent(s)

This writ petition filed under Article 226 of the Constitution of India to direct the respondents to dispose of the petitioner's representation dated 04.03.2026 and to declare that the failure of the respondents to provide



meaningful recognition, either by way of horizontal reservation or proportionate incentive weightage, to COVID-19 frontline doctors in recruitment to the post of Assistant Surgeon (general)-2025 is arbitrary and violative of Article 14 of the Constitution of India, and consequently direct the 1st respondent to consider and frame an appropriate policy providing horizontal reservation and /or rational proportionate weightage to COVID-19 frontline doctors within a time frame to be fixed by this Court.

For Petitioner(s): Mr. S.K.Bose

For Respondent(s): Mr. M.Bindran,
AGP for R1 & R3

Mr. S.J.Mohammed Satik
Gov. Advocate,
for R2

ORDER

The Mandamus is sought to dispose of the petitioner's representation dated 04.03.2026. This representation has been made by the petitioner, which, in simple terms, seeks another avenue of reservation.

2. It is the case of the petitioner that he is a qualified medical practitioner, having completed MBBS in the year 2018 and obtained registration with the Tamil Nadu Medical Council in the year 2019. During the unprecedented Covid-19 pandemic, he had rendered continuous frontline medical service from



10.06.2020 to 03.03.2021 at the Government Medical College, Tiruvarur, and from 26.02.2021 to 03.03.2022 at the Primary Health Centre, Poonthottam, Keelkudi. Pursuant to the interview held on 22.02.2021, he was appointed as a Medical Officer on a contractual basis for Mini Clinics in Tiruvarur District and served at Keelkudi, Nannilam Block. The said services were rendered during the peak pandemic period under hazardous and extraordinary working conditions.

3. The Second respondent had issued a notification for recruitment to the post of Assistant Surgeon (General)-2025. The petitioner had participated in the written examination conducted on 25.01.2026 and secured 28 marks in Tamil Eligibility Test, 49 marks in Subject Paper, and 3 incentive marks for COVID Service, totalling 52 marks.

4. The grievance of the petitioner is that only a maximum of 5 incentive marks alone has been provided for Covid frontline service and that no horizontal reservation or proportionate weightage has been granted based on the duration and intensity of such service.



5. According to the petitioner, Covid frontline doctors constitute a distinct and identifiable class and therefore entitled to horizontal reservation, similar to women, persons with disabilities and ex-servicemen, etc.

6. Heard the rival submissions.

7. The petitioner himself has admitted that he has been granted incentive marks for the services rendered during the Covid-19 pandemic. During the said period, several categories of personnel in the medical and allied sectors had contributed in discharging their duties. The petitioner cannot seek parity with classes for whom horizontal reservation has been specifically provided under the applicable policy.

8. The service rendered by the petitioner, though appreciable, was for a specific duration, and the grant of incentive marks itself constitutes recognition of the same. In the absence of any statutory provision, this Court cannot issue a direction for creation of separate channel of reservation.



9. In view of the above, no further orders are warranted on the representation sought to be considered.

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10. Accordingly, this writ petition stands dismissed. No costs.

26-03-2026

Index: Yes/No

Speaking/Non-speaking order

Neutral Citation: Yes/No

MRP

To

1. The Secretary,
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Health and Family welfare Department,
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