



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 28.08.2019

WEB COPY

CORAM:

THE HONOURABLE MR.JUSTICE D.KRISHNAKUMARW.P(MD)Nos.3522 to 3532, 3534 and 3535 of 2016andWMP(MD)Nos.10051 to 10062 & 10191 of 2019andWMP(MD)Nos.3124, 3126, 3128, 3130, 3132, 3134, 3136, 3138, 3140, 3142, 3144, 3148, 3150, 4064 to 4074, 4076, 4077, 5700 to 5710, 5712 and 5713 of 2016

M. Sathiskumar	... Petitioner(s) in WP(MD). 3522/ 2016
R.Parthiban	... Petitioner(s) in WP(MD). 3523/ 2016
K.Vijya Kumari	... Petitioner(s) in WP(MD). 3524/ 2016
A.Vignesh	... Petitioner(s) in WP(MD). 3525/ 2016
R.Murugeswari	... Petitioner(s) in WP(MD). 3526/ 2016
S.Selvakani	... Petitioner(s) in WP(MD). 3527/ 2016
V. Rajeshkumar	... Petitioner(s) in WP(MD). 3528/ 2016
P.S.Velmurugan	... Petitioner(s) in WP(MD). 3529/ 2016
R.Maruthamuthu,	... Petitioner(s) in WP(MD). 3530/ 2016
S. Prabhu	... Petitioner(s) in WP(MD). 3531/ 2016
P. Rani	... Petitioner(s) in WP(MD). 3532/ 2016
V. Machayagandhi	... Petitioner(s) in WP(MD). 3534/ 2016
S. Sivagnanam	... Petitioner(s) in WP(MD). 3535/ 2016

VS

1. The Secretary to Government
Health and Family Welfare Department,
Secretariat, St. George Fort, Chennai

2. The Director,
Department of Public Health and Preventive Medicine,
359 Anna Salai, Teynampet, Chennai.



3. The Unemployed Sanitary & Health Inspectors
Trained Graduates Welfare Association,
Regn.No.95/12,
rep. by the Secretary

S.Gopinath,
No.92/A, Mariamman Kovil Street,
Acharampattu, Irumbai Post, Vanoor Taluk,
Villupuram District. ... Respondents (in all cases)

(R3 is Impleaded Vide Court Order Dated 04/03/16
in WMP(MD)No.3939 TO 3944 OF 2016, 3951 OF 2016 AND 3952 OF 2016)

Common Prayer in WP(MD) Nos.3522 to 3532, 3534 & 3535 of 2016

Writ Petitions are filed under Article 226 of the Constitution of India, praying this Court To issue a Writ of Certiorarified mandamus to call for the records of 2nd respondent herein in his proceedings in SE.MA.TH.O.E/219/GRAPHICS/2016 published in Dhina Thanthi tamil daily dated 11.02.2016 and quash the same and to direct the Respondents to issue fresh Notification by permitting the petitioner to participate in the selection process for the recruitment to the Post of Multi Purpose Health Worker {MEN}(sanitary inspector grade II).

For Petitioner	..	Mr.G.Chandrasekar (IN ALL CASES)
For Rr1 & 2	..	Mr.K.Chellapandian Addl Advocate General assisted by Mr.A.Muthukaruppan Addl Govt Pleader (IN ALL CASES)
For R3	..	Mr.M.Ajmal Khan Sr. Counsel for M/S.Ajmal Associates (IN ALL CASES)

COMMON ORDER

These writ petitions have been directed against the proceedings of the second respondent in SE.MA.TH.O.E/219/GRAPHICS/2016 published in Dhina Thanthi Tamil daily dated 11.02.2016 and to direct the respondents to issue



fresh Notification by permitting the petitioners to participate in the selection process for the recruitment to the Post of Multi Purpose Health Worker (sanitary inspector grade II).

2.The learned counsel appearing for the petitioners and the learned Additional Advocate General submitted that the relief sought in the writ petitions stands infructuous. According to them, the Government had already considered the request of the petitioners and issued G.O.(Ms)No.338, Health and Family Welfare (L1) Department, dated 02.08.2019, wherein, the relaxation as prayed by the petitioners has been granted. The relevant portion is extracted hereunder:

4(iii)Must possess one year Multi purpose Health Worker (Male) Course/Sanitary Inspector Course in University affiliated/Government recognised institutions. The syllabus followed in such institutions should be equivalent to the syllabus prescribed by the Director of Public Health and Preventive Medicine."

3.Recording the aforesaid submission as well as placing G.O.(Ms)No.338, Health and Family Welfare (L1) Department, dated 02.08.2019, these writ petitions are dismissed as infructuous.

4.At this juncture, the learned counsel appearing for the petitioners as well as the learned Senior Counsel appearing for the third respondent made a request before this Court that pending writ petitions, some of the writ petitioners as well as members of the third respondent association crossed the age limit and therefore this Court may issue appropriate direction for consideration.

5.This Court cannot consider the aforesaid request of the writ petitioners. However, liberty is granted to the writ petitioners as well as the members of the third respondent association to approach the State Government for seeking relaxation of the age, if they are so advised.



6. The learned Additional Advocate General made a statement before this Court that the respondent Government is keen in filling up the vacancies of Multi Purpose Health Workers at the earliest.

No costs. Consequently, connected miscellaneous petitions are closed.

SD

ASSISTANT REGISTRAR (P AND A)

TRUE COPY

SUB ASSISTANT REGISTRAR (CS)

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To

1. The Secretary to Government
Health and Family Welfare Department,
Secretariat, St. George Fort, Chennai
2. The Director,
Department of Public Health and Preventive Medicine,
359 Anna Salai, Teynampet, Chennai.

1CC TO M/S. AJMAL ASSOCIATES, ADVOCATE SR 84066

1CC TO MR. G.CHANDRASEKARAN, ADVOCATE SR 84640

KM/18.09.2019/4P/5C

W.P(MD)Nos.3522 to 3532, 3534
and 3535 of 2016

28.08.2019