

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 29.06.2020

CORAM

THE HONOURABLE MR.JUSTICE R.MAHADEVAN

W.P.No.8537 of 2020
and W.M.P.No.10317 of 2020

V.Anugrahadipti

...Petitioner

Vs.

1.The Director of Public Health and Preventive Medicine,
Office of the Director of Public Health and Preventive
Medicine,
Chennai-600 006.

2.The Deputy Director of Health Services,
Tiruvannamalai District.

...Respondents

Writ Petition filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Certiorarified Mandamus to call for the records of the first respondent relating to R.No.26666/MP.1/S1/2020, dated 15.04.2020, quash the same and to direct the respondents to implement 33% Reservation to the women candidates for filling the posts as per terms of T.N.Women's Reservation Act as well as Art.15 (3) and 16 (2) of the Constitution of India there should be a reservation of 33% for the women candidates in every recruitment process, which is a constitutional guarantee for the women candidates and the same cannot be brushed aside by the Government in any of the employment opportunities including the filling up of the present vacancy.

For Petitioner : Mr.M.C.Swamy

For Respondents: Mrs.P.Rajalakshmi,

Additional Government Pleader

ORDER

By consent of both the parties, the matter is taken up for final disposal at the time of admission itself.

2.The case of the petitioner is that she has completed B.Sc. (Chemistry) Degree in April, 2015 and thereafter studied P.G. Diploma in Environmental Sanitation Science in April 2017. The Government of Tamil Nadu, has issued proceedings in R.No.26666/MP.1/S1/2020 dated 15.04.2020 to all Deputy Directors

of Health Services, to engage 2715 Nos. Multipurpose Health Workers (Health Inspector Gr.II) on temporary basis for a period of three months, with an intention to support the Government in the activities in view of the outbreak of COVID-19. The Government has allotted 56 posts for Tiruvannamalai District out of the total 2715 posts. The entire recruitment has been earmarked only for male candidates. Contending that the petitioner studied Biology as Special Subject in Plus 2 and also completed Post Graduate Diploma in Environmental Science and Health Education, as required in the proceedings, and that she has secured I class in Post Graduate Diploma course and in spite of the same, she could not apply for the said post as the post has been earmarked for only male candidates, she has filed this writ petition to quash the proceedings of the first respondent dated 15.04.2020 and for consequential relief.

3.The learned counsel for the petitioner has submitted that in terms of Tamil Nadu Women's Reservation Act as well as Articles 15 (3) and 16 (2) of the Constitution of India, there should be a reservation of 33 % for the women candidates in every recruitment process, which is a constitutional guarantee for them and the same cannot be brushed aside by the Government in any of the employment opportunities including the filling up of the present vacancies. Therefore, 33% reservation for women has to be implemented for the present vacancy, according to the learned counsel for the petitioner.

4.The learned Additional Government Pleader appearing for the respondents, on instructions, has submitted that the case of the petitioner will be considered on merits and if the petitioner is found fit, appropriate orders would be passed.

5.Recording the above statement made by the learned Additional Government Pleader appearing for the respondents, the petitioner is directed to submit an application along with the copies of requisite testimonials in support of her qualifications, as required in the impugned proceedings, within a period of one week from the date of receipt of a copy of this order. On such application being made, the respondents are directed to consider the same and pass appropriate orders on merits and in accordance with law.

6.The writ petition is disposed of accordingly. No costs. Consequently, the connected miscellaneous petition is closed.

s/d-

Assistant Registrar (CS-III)

True Copy

Sub-Assistant Registrar

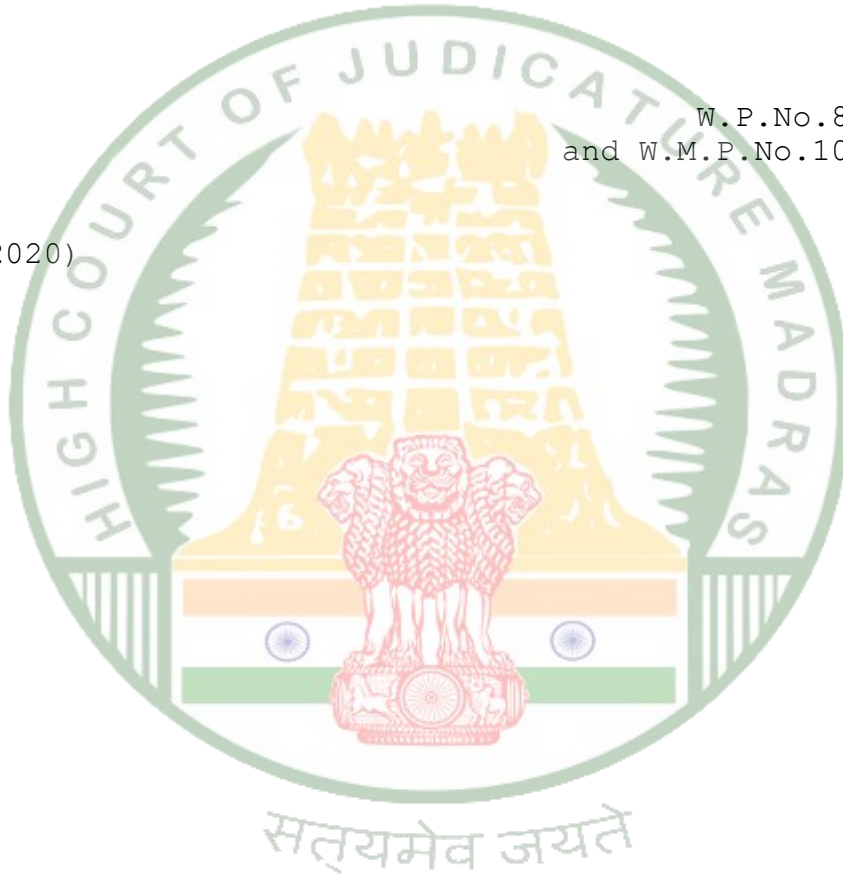
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To

- 1.The Director of Public Health and Preventive Medicine,
Office of the Director of Public Health and Preventive
Medicine,
Chennai-600 006.
- 2.The Deputy Director of Health Services,
Tiruvannamalai District.

W.P.No.8537 of 2020
and W.M.P.No.10317 of 2020

PP (CO)
SP (29/07/2020)



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