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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 29.12.2021

CORAM

THE HON'BLE Mrs. JUSTICE DR.ANITA SUMANTH

W.P.No.28116 of 2021 and
W.M.P.No.29700 of 2021

N.Manoj Prabhakar

... Petitioner

Vs.

1.The Mission Director
National Health Mission
5th Floor, TNHHP Building
DMS Annexure Building, DMS Campus
No.359, Anna Salai, Teynampet, Chennai - 6.

2.The Director
Directorate of Public Health and Preventive Medicine
DMS Campus, No.359, Anna Salai, Teynampet,
Chennai - 6.

3.The Deputy Director
O/o. Deputy Director of Health Service
Nagapattinam & District.

... Respondents

Prayer : Petition filed under Article 226 of The Constitution of India praying to issue a Writ of Mandamus, to direct the respondents to consider the petitioner's service in epidemic COVID-19 period and also his qualification to provide the employment as Health Inspector Grade-II under the scheme of National Health Mission (NHM).

For Petitioner : Mr.P.Vijendran

For Respondents: Mr.K.Karthikeyan, GA

ORDER

The petitioner is before this Court with a prayer to issue a writ of mandamus, directing the respondents to consider his service rendered during pandemic period as well as his qualification to provide him employment as Health Inspector



Grade-II in terms of the National Health Mission (NHM).

2. By consent of learned counsel appearing on either side, this writ petition has been taken up for final disposal at the admission stage itself.

3. The petitioner has responded to a notification to the post of Multi-purpose Health Worker and applied for the said post.

4. When the matter was called, Mr.K.Karthikeyan, learned Government Advocate appearing for the respondents would submit that the process of selection has been concluded and 47 Health Workers have been appointed. He would submit that the marks obtained by the petitioner is 54 in the Entrance Test as against the cut-off, of 69 and the petitioner has hence not fallen within the zone of consideration.

5. In such circumstances, the mandamus as sought in this petition is not liable to be issued. Therefore, the writ petition stands dismissed with liberty to the petitioner to challenge the process of selection, if he believe the same is not in compliance with the applicable rules and regulations. No costs. Consequently, connected miscellaneous petition is also closed.

Sd/-

Assistant Registrar(CS-III)

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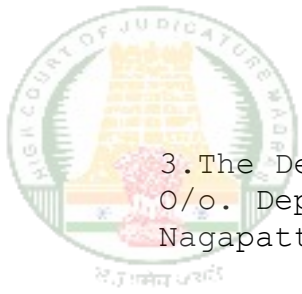
Sub Assistant Registrar

gsk/jer

To

1.The Mission Director
National Health Mission
5th Floor, TNHHP Building
DMS Annexure Building DMS Campus,
No.359, Anna Salai, Teynampet, Chennai - 6.

2.The Director
Directorate of Public Health and Preventive Medicine
DMS Campus
No.359, Anna Salai, Teynampet,
Chennai - 6.



3.The Deputy Director
O/o. Deputy Director of Health Service
Nagapattinam & District.

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+1cc to Mr.P.Vijendran, Advocate SR.No.69934
+1cc to the Government Pleader, SR.No.69934

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W.M.P.No.29700 of 2021

SS (CO)
CB (10/01/2022)