



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 10.02.2022

CORAM

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P. (MD) No.2647 of 2022

and

W.M.P. (MD) No.2342 of 2022

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N.Saran

... Petitioner

-vs-

- 1.The Director,
National Health Mission,
5th Floor, TNHSP Building,
DMS Annex Building, DMS Campus,
359, Anna Salai, Teynampet,
Chennai-600 006.
 - 2.The Director of Public Health and
Preventive Medicine,
64, 75, Main Road, Chockalingam Nagar,
Teynampet, Chennai-6.
 - 3.The District Collector and
Chairman of District Health Society,
Trichy District-620 001.
 - 4.The Deputy Director of Health Services,
Trichy District Health Society,
Race Course Road, Trichy-20.
- ... Respondents

Petition filed under Article 226 of the Constitution of India praying for issuance of Writ of Mandamus directing the respondents herein to consider petitioner's representation dated 09.03.2020 and to include petitioner's name in the selection list of Multi-Purpose Health Worker (Male)/Health Inspector Grade II released by the Deputy Director of Health Services, Trichy District and to appoint petitioner as Multi Purpose Health Worker (Male)/Health Inspector Grade II at one of the Health Sub Centers/Health Wellness Centers on contract basis through Trichy District Health Society under National Health Mission - Tamil Nadu Scheme in the light of petitioner's service rendered during the 1st and 2nd wave of Covid-19 and scoring criteria (weightage based scoring) detailed in Annexure IV and IVA of the D.O. Letter No.6010/NHM/2021/P10 dated 29.11.2021 on par with other 49 candidates who have been selected and appointed as Multi Purpose Health Worker (Male)/Health Inspector Grade-II in the light of their service rendered during 1st and 2nd wave of Covid-19.



For Petitioner : Mr.Y.Krishnan
For Respondents : Mr.A.K.Manikkam,
Special Government Pleader

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O R D E R

The writ on hand has been instituted to direct the respondents to consider the petitioner's representation dated 09.03.2020 and include the name of the petitioner in the selection list of Multi-Purpose Health Worker (Male)/Health Inspector Grade-II order published by the Deputy Director of Health Services, Trichy District and to appoint the petitioner as Multi-Purpose Health Worker (Male)/Health Inspector Grade-II.

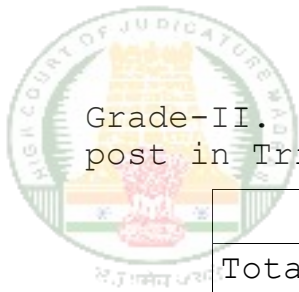
2.The petitioner passed Higher Secondary course and completed two years course of Multi-Purpose Health Worker (Male)/Health Inspector Grade-II from Shri Indhra Ganesan Institute of Medical Science, Trichy. Thus, the petitioner is fully qualified for appointment to the post of Multi-Purpose Health Worker (Male)/Health Inspector Grade-II.

3.Learned counsel appearing for the petitioner made a submission that the petitioner dedicatedly served during the COVID-19 period and performed services risking his life. Therefore, the services rendered by the petitioner during pandemic situation is to be considered for the purpose of providing appointment.

4.Learned counsel for the petitioner is of an opinion that the petitioner is otherwise fully qualified for appointment and despite the fact that he appeared in the examination and secured marks, he was not included in the selection list and therefore, the petitioner has chosen to file the present writ petition.

5.The only question to be considered in this writ petition is whether the writ petitioner is coming within the zone of consideration for selection to the post of Multi-Purpose Health Worker (Male)/Health Inspector Grade-II.

6.Learned Special Government Pleader appearing for the respondents submitted a copy of the selection list of Multi-Purpose Health Workers in Trichy District. The said selection list indicates that the petitioner, Mr.N.Saran secured 49 marks in total. Therefore, he was not included in the selection list for appointment to the post of Multi-Purpose Health Worker (Male)/Health Inspector



Grade-II. The details regarding the selection made for the said post in Trichy District are detailed as below:-

MPHW Selection - Trichy District	
Total Applications Received	500
Eligible	397
In Eligible	103
Total Selected Candidates	69
Selected for Appointment	63
Highest Mark	80
Lowest Mark	50 (selected based on DOB)
Communal Rotation	
General Turn	19
BC	16
MBC	13
SC	12
SCA	1
BCM	2
ST	0
Total	63

A copy of the details is also furnished to the learned counsel appearing on behalf of the petitioner for reference.

7.When it is established that the petitioner is not within the zone of consideration, he is not entitled to seek any appointment and this Court wishes the petitioner for bright future, who should work hard and secure public employment on merits.

8.With the above observations, this Writ Petition stands dismissed. However, there shall be no order as to costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Deputy Registrar (A/Cs)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

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To

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+1 CC to M/s.SPL.GP (SR-5702[F] dated 11/02/2022)

+1 CC to M/s.Y.KRISHNAN, Advocate (SR-5831[F] dated 14/02/2022)

W.P. (MD) No.2647 of 2022

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