



WEB COPY



W.P.No.3557 of 2018

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 02.02.2023

CORAM:

THE HONOURABLE MR.JUSTICE M.S.RAMESH

W.P.No.3557 of 2018

M.Periyasamy

...Petitioner

-Vs-

1.The State of Tamil Nadu,
Rep. by its Principal Secretary to Government,
Health and Family Welfare Department,
Secretariat, Chennai – 600 009.

2.The Member Secretary,
Medical Services Recruitment Board,
7th Floor, DMS Building,
359, Anna Salai, Teynampet,
Chennai – 600 006.

3.The Director of Medical Education,
Kilpauk, Chennai – 600 010.

...Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Certiorarified Mandamus, calling for the records of the first respondent in ref.No.Health and Family Welfare Department Letter No.38879/C2/2017-2 dated 07.12.2017 Hevilambi, Karthigai 21, Thiruvalluvar Aandu 2048 and quash the same and consequently direct the 1st



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respondent to consider the petitioner qualification with Certificate of Radiological Assistant [CRA] also as qualification for selection to the post of Radiographer for the notification No.09/MRB/2017 dated 22.08.2017.

For Petitioner : Mr.V.Stalin
For R1 & R3 : Mr.T.Chezhiyan
Additional Government Pleader
For R2 : No Appearance

ORDER

The petitioner's candidature for the post of Radiographer in the notification dated 22.08.2017 was not considered. Challenging the rejection of his candidature, the present writ petition has been filed.

2. In the notification dated 22.08.2017 issued by the Medical Services Recruitment Board (MRB), calling for applications for the post of Radiographer, the following qualification has been prescribed:-

<i>Sl.No.</i>	<i>Name of the post</i>	<i>Qualification</i>
1.	Radiographer	Must have passed two years Diploma course in Radio Diagnosis Technology conducted by the Board of Para Medical Education under the Directorate of Medical Education, Government of Tamil Nadu at Government Medical Institution or from any other Institution recognized by the Government of Tamil Nadu for this purpose.



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WEB COPY 3. The petitioner herein possesses a certificate of Radiological Assistant obtained through a one year course in the month of June, 2011. Apparently, the qualification possessed by the petitioner does not meet the requirement of essential qualification prescribed in the notification. As such, there is no infirmity in the non-consideration of the petitioner's candidature for the said post.

4. This Court, exercising its powers under Article 226 of the Constitution of India, will not substitute the qualification prescribed under the notification in a selection process. Thus, there is no infirmity in the impugned order. Accordingly, the writ petition stands dismissed. No costs.

02.02.2023

Index:Yes/No
Speaking order/Non-speaking order
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To

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M.S.RAMESH,J.

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