



W.P.(MD)No.7323 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 31.03.2023

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P.(MD)No.7323 of 2023

and

W.M.P.(MD)Nos.6886 and 6887 of 2023

P.Thiruvengadam

... Petitioner

Vs.

- 1.The Member Secretary,
Medical Service Recruitment Board,
359, Anna Salai, 7th Floor,
DMS Building, Chennai – 06.
- 2.The Director (Regulations),
Food Safety and Standards Authority of India,
FDA Bhawan, Kotla Road,
New Delhi – 110 002.
- 3.The Secretary,
Ministry of AYUSH,
AYUSH Bhawan B-Block,
GPO Complex, INA,
New Delhi – 110 023.

... Respondents

Prayer: Writ petition is filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, to call for the records pertaining to the impugned provisional selection list for the post of Food Safety Officer issued on 13.03.2023 vide notification No.02/MRB/2021 by the 1st respondent and quash the same as illegal and arbitrary and



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consequently, to direct the 1st respondent to publish a fresh selection list by selecting the petitioner under PSTM quota within the time stipulated by this Court.

For Petitioner : Mr.P.Karthick

For Respondents : Mr.T.S.Mohammed Mohideen,
Standing Counsel for R1.
Mr.K.Govindarajan,
Deputy Solicitor General for R2 & R3.

* * *

ORDER

Heard the learned counsel for the writ petitioner, the learned standing counsel for the first respondent and the learned Deputy Solicitor General for the respondents 2 and 3.

2.The petitioner is a degree holder in Siddha Medicine. He is also a Siddha Medical Practitioner. The respondent board issued recruitment notification on 13.10.2021 calling for applications through online mode for direct recruitment to the post of Food Safety Officer on temporary basis in Tamil Nadu Food Safety and Drug Administration Department. The petitioner applied in response thereto. He wrote the written examination on 20.10.2022. The petitioner challenges the provisional



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list primarily on the ground that exclusion of Siddha degree holders has been held to be illegal by this Court vide order dated 23.03.2023 in W.P.(MD)No.4882 of 2023. The contention of the learned counsel for the petitioner is undoubtedly correct. However, I am not in a position to entertain the writ petition primarily for the reason that the petitioner has not approached this Court in time. When the petitioner was not called for certificate verification, he must have come to this Court. The petitioners in W.P.(MD)No.4882 of 2023 moved this Court even before publication of the selection list. If I start entertaining challenge as in this case, there would be no end. Matters regarding recruitment will be to be expeditiously finalized. The aggrieved individual must rush to the Writ Court at the earliest point of time. There cannot be any delay. I, therefore, non-suit the writ petitioner only on the ground of laches. The writ petition stands dismissed. No costs. Consequently, connected miscellaneous petitions are closed.

31.03.2023

NCC : Yes / No
Index : Yes / No
Internet : Yes / No
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G.R.SWAMINATHAN,J.

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