



W.P.(MD).No.2866 of 2016

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 30.01.2023

CORAM

THE HONOURABLE MRS.JUSTICE S.SRIMATHY

W.P.(MD).No.2866 of 2016

and

W.M.P.(MD).Nos.2530 and 2531 of 2016

P.Shanmugavel

... Petitioner

Vs.

- 1.The Government of Tamil Nadu,
Represented through
Principal Secretary to Government,
Health and Family Welfare Department,
Fort St.George,
Chennai – 9.
- 2.The Chairman,
Medical Services Recruitment Board,
7th Floor, DMS Building,
359, Anna Salai,
Thenaympet,
Chennai – 600 006.
- 3.The Member Secretary,
Medical Services Recruitment Board,
7th Floor, DMS Building,
359, Anna Salai,
Thenaympet,
Chennai – 600 006.



W.P.(MD).No.2866 of 2016

4.The Deputy Director of Health Services,
Kovilpatti,
Tuticorin District.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus, to call for the records relating to the impugned Notification No.6/MRB/2016 dated 31.01.2016 issued by the third respondent and quash the same and consequently direct the first respondent to order to appoint the petitioner as Pharmacist pursuant to the orders of fourth respondent dated 20.09.2013 by continuing the State Level Seniority in the recruitment of Pharmacist in Government Departments without following weightage method according to law.

For Petitioner : No Appearance

For R-1 and R-4 : Mr.P.Thambidurai,
Government Advocate.

For R-2 and R-3 : Mr.T.S.Mohammed Mohideen

ORDER

This Writ Petition is filed challenging the notification dated 31.01.2016 for recruiting Pharmacists in the Government Department.



W.P.(MD).No.2866 of 2016

WEB COPY

2. The claim of the petitioner is that the weightage of marks that was prescribed by the third respondent would affect the petitioner's opportunity to participate in the recruitment process. The said issue was already considered by another learned Single Judge of this Court in W.P.(MD).No.3579 of 2018 dated 21.02.2018. The relevant portion of the order is extracted hereunder:

3. According to the petitioner, the impugned recruitment notification provides for weightage of marks in the following manner:

<i>Minimum educational qualification required for the post</i>	<i>Weightage of Marks Degree/Diploma/ Certificate</i>	<i>H.S.C./P.U.C</i>	<i>SSLC/10th</i>
<i>a. Degree</i>	<i>50%</i>	<i>30%</i>	<i>20%</i>
<i>b. Diploma</i>	<i>50%</i>	<i>30%</i>	<i>20%</i>
<i>c. Certificate with PUC/HSC Qualification</i>	<i>50%</i>	<i>30%</i>	<i>20%</i>
<i>d. Certificate with SSLC</i>	<i>60%</i>	<i>NA</i>	<i>40%</i>
<i>e. Minimum general educational qualification</i>	<i>NA</i>	<i>NA</i>	<i>100%</i>

(NA-Not Applicable)



W.P.(MD).No.2866 of 2016

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4. Hence, the Writ Petition is dismissed. There shall be no order as to costs. Consequently, connected miscellaneous petitions are closed.

30.01.2023

NCC : Yes/No
Index : Yes / No
Internet : Yes/ No
Nsr



W.P.(MD).No.2866 of 2016

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W.P.(MD).No.2866 of 2016

S.SRIMATHY, J.

Nsr

W.P.(MD).No.2866 of 2016

30.01.2023