



W.P.(MD)No.3580 of 2016

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 23.01.2023

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THE HONOURABLE MRS.JUSTICE S.SRIMATHY

W.P.(MD)No.3580 of 2016

and

W.M.P(MD)Nos. 3204 & 3205 of 2016

M.Boomi

... Petitioner

Vs.

1. The Secretary to Government,
Health and Family Welfare Department,
Secretariat, Saint George Fort, Chennai.

2. The Director,
Department of Public Health and Preventive Medicine,
359, Anna Salai,
Teynampet, Chennai.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of *Writ of Certiorarified Mandamus*, to call for the records of 2nd respondent herein in his proceedings in SE.MA.TH.O.E/219/GRAPHICS/2016 published in Dhina Thanthi Tamil daily, dated 11.02.2016 and quash the same and to direct the Respondents to issue fresh Notification by permitting the petitioner to participate in the selection process for the recruitment to the Post of Multi Purpose Health Worker (Sanitary Inspector grade II).



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For Petitioner : Mr.S.G.Chandrasekar

For Respondents : Mr.J.John Rajadurai,
Government Advocate

ORDER

This Writ Petition has been filed challenging the proceedings in SE.MA.TH.O.E/219/GRAPHICS/2016 published in Dhina Thanthi Tamil daily, dated 11.02.2016 and seeking direction to the Respondents to issue fresh Notification by permitting the petitioner to participate in the selection process for the recruitment to the Post of Multi Purpose Health Worker (Sanitary Inspector grade II).

2. Heard Mr.S.G.Chandrasekar, learned counsel appearing for the petitioner and Mr.J.John Rajadurai, learned Government Advocate appearing for the respondents. Perused the material documents available on record.

3. The learned counsel appearing for the petitioner and the learned Government Advocate submitted that the relief sought in the writ petition stands infructuous. According to them, the Government had already considered the



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request of the petitioner and issued G.O.(Ms)No.338, Health and Family Welfare (L1) Department, dated 02.08.2019, wherein, the relaxation as prayed by the petitioner has been granted. The relevant portion is extracted hereunder:

4(iii). Must possess one year Multi purpose Health Worker (Male) Course/Sanitary Inspector Course in University affiliated / Government recognised institutions. The syllabus followed in such institutions should be equivalent to the syllabus prescribed by the Director of Public Health and Preventive Medicine.?

4. Recording the aforesaid submission as well as G.O.(Ms)No.338, Health and Family Welfare (L1) Department, dated 02.08.2019, this writ petition is dismissed as infructuous.

5. At this juncture, the learned counsel appearing for the petitioner made a request before this Court that pending writ petition, this writ petitioner crossed the age limit and therefore this Court may issue appropriate direction for consideration.



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6. This Court cannot consider the aforesaid request of the writ petitioner. However, liberty is granted to the writ petitioner to approach the State Government for seeking relaxation of the age, if so advised.

7. The learned Government Advocate submitted that the respondent Government is keen in filling up the vacancies of Multi Purpose Health Workers at the earliest.

8. Accordingly, this Writ Petition is dismissed as infructuous. No costs. Consequently, connected miscellaneous petitions are closed.

Index : Yes / No
Internet : Yes
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23.01.2023



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To:

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2. The Director,
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S.SRIMATHY, J

ksa

**Order made in
W.P.(MD)No. 3580 of 2016**

23.01.2023