



W.P.No.30870 of 2012

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 26.06.2024

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THE HONOURABLE MRS. **JUSTICE R.KALAIMATHI**

W.P.No.30870 of 2012
and
M.P.Nos.2 & 3 of 2012

1.M.Elango
2.S.K.Selvarajan

... Petitioners

vs.

1.The Secretary to Government,
Municipal Administration and Water
supply Department,
Fort St.George, Chennai 600 009.

2.The Commissioner,
Corporation of Chennai,
Chennai 600 003.

... Respondents

Prayer: Petition filed under Article 226 of the Constitution of India to issue a Writ of Certiorarified Mandamus, to call for the records connected with the Rule issued in Su.Thu.Na.Ka.C1/3127/98 dated Nil passed by the 2nd respondent and quash the same and consequently direct the respondents to amend the Rule and appoint them Sanitary Inspectors.

For the petitioner : M/s.S.Ilamvaludhi

For R1 : Mr.S.Rajesh



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Govt.Advocate

For R2

: Mr.G.T.Subramanian
Standing Counsel.

ORDER

The proceedings issued by the second respondent in Su.Thu.Na.Ka.C1/3127/98 dated Nil is under challenge.

2. The petitioners, viz, i) M.Elango, S/o.S.R.Mani ii) S.K.Selvarajan, S/o.S.Kesavan submit that they have completed their school studies in +2 and they have also completed Sanitary Inspector Course at Gandhi Gram Rural Institute (Deemed University) in Registration No.6050/89-90 and 6076/1990.

3. It has been stated in the affidavit that the qualification that has been prescribed as per the Public Health and Medical Service Rules Bye laws issued in Su.Thu.Ne.Ka.No.C1/3127/98 amended Rules of Class III Category-17 that for the Sanitary Inspector posts by direct recruitment and qualification has been prescribed as B.Sc., degree with chemistry as the main subject and should have completed Sanitary Inspector Certificate Course conducted by the Government.



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4. The qualifications prescribed by the Corporation of Chennai in violation of Articles 13 and 16 of the Constitution of India without amending the Rule for appointment of Sanitary Inspector is bad in law. Hence, this writ petition.

5. Heard Mr.S.Ilamvaludhi, learned counsel appearing for the petitioner and Mr.S.Rajesh, learned Government Advocate for the first respondent and Mr.G.T.Subramanian, learned Standing Counsel appearing for the second respondent.

6. As per proceedings in Su.Thu.Na.Ka.No.C2/5705/2011 dated 24.11.2011 of the Chennai Corporation, the qualification prescribed for the post of Sanitary Inspector are as follows:-

i) B.Sc., degree with Chemistry as the main subject,

ii) Should have successfully completed Sanitary Inspector Certificate Course conducted by the Government" and certificate in Computer Training".

8. Mr.G.T.Subramanian, learned Standing Counsel for the second



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respondent would submit that the petitioners have not qualified as per the aforesaid prescribed qualification for the post of Sanitary Inspector.

7. Mr.S.Ilamvaludhi, learned counsel appearing for the petitioner submits that the petitioners were subsequently were appointed as Sanitary Inspectors.

8. Recording the above said submissions, this writ petition stands disposed of. There is no order as to costs. Consequently, connected miscellaneous petitions are closed.

26.06.2024

Index : Yes/No
Internet : Yes/No
Neutral Citation : Yes/No
kkd

To

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supply Department,
Fort St.George, Chennai 600 009.

2.The Commissioner,
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R.KALAIMATHI,J.

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