



W.P.No.21428 of 2023, etc. batch

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Reserved on : 14.03.2024

Pronounced on : 04.04.2024

CORAM:

THE HONOURABLE MR. JUSTICE **G.K.ILANTHIRAIYAN**

W.P.Nos.21428, 21666, 21865, 22426, 22633, 23126, 25805, 23812,
25685, 28900 & 31272 of 2023 and

WMP.Nos.20830, 20831, 24911, 21840, 21038, 22083, 22084, 21200,
21201, 30899, 30892, 23325, 23329, 28478, 28479, 25105, 25106,
25107, 22678, 22679, 25241, 25242 & 25255 of 2023

WP.No.21428 of 2023

- 1.P.Vadivel
- 2.A.Jeganathan
- 3.S.Vinoth
- 4.V.Viswanathan
- 5.M.Thiruppathi
- 6.C.Suresh
- 7.R.Mani
- 8.R.Aruchamy
- 9.R.Selvakumar
- 10.D.Pragatheswaran
- 11.R.Karthick
- 12.B.Eswaran
- 13.M.Parasuraman
- 14.R.Rajkumar
- 15.P.Thangeswaran
- 16.K.Prakash
- 17.A.Askar Ali
- 18.M.Prakasha Ruban
- 19.C.Suresh
- 20.S.Tamizharasan
- 21.E.Kannan Maharaja
- 22.M.Venkatesan
- 23.V.Dhamotharan



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24.P.Aravindhnan
25.C.Dineshkumar
26.A.Senthil Velkumar
27.K.Parthasarathi
28.S.Kalaichelvan
29.K.Arunmagesh
30.R.Prasath
31.P.Alaguraja
32.Y.Manjith Kumar
33.R.Rajapandiyan

... Petitioners

Vs.

1.The State of Tamilnadu,
Rep. By its Principal Secretary to Government,
Health and Family Welfare Department,
Secretariat, Fort St.George, Chennai 600 009
2.The Director of Public Health and Preventive Medicine,
DMS Compound, Anna Salai, Teynampet, Chennai 600 006
3.The Chairman,
Medical Services Recruitment Board,
7th Floor, DMS Buildings,
359, Anna Salai, Teynampet, Chennai 600 006
4.WASH Institute,
Rep. By its Advisor/Authorised Representative, P.Velusami,
No.1/20, Kathiranampatti Pirivu, Palani Road,
Reddiar Chatthiram, Dindigul District 624 622
(4th respondent impleaded vide order dated 04.04.2024 made in
WMP.No.24911 of 2023 in WP.No.21428 of 2023 ... Respondents

PRAYER: Writ Petition is filed under Article 226 of Constitution of India praying to issue a Writ of Certiorarified Mandamus to call for the records relating to the impugned notification issued by the 3rd respondent in notification No.06/MRB/2023 dated 11.07.2023 and to



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quash the same in so far as clause Nos.6A relates to age limit, 6B relates to educational qualification and 7 relates to procedure of selection are concerned and consequently directing the respondents to re-issue the notification by adopting method of selection in consonance to Articles 14 and 16 of Constitution of India and by considering the qualification acquired by the petitioners as eligible qualification in accordance with G.O.MS.No.45 Higher Education Department dated 19.04.2022 and further by granting relaxation of upper age limit for O.C candidates in compliance with the orders passed in the writ petitions by this Court.

For Petitioners
in WP.No.21428 of 2023: Mr.G.Sankaran,
Senior Counsel
for Mr.S.Nedunchezhiyan

For Petitioners
in WP.No.21666 of 2023: Mr.M.Gnanasekar

For Petitioners
in WP.No.21865 of 2023: Mrs.V.Srimathi

For Petitioners
in WP.No.22426 of 2023: Mrs.A.S.Aswin Prasanna

For Petitioners
in WP.Nos.22633,
28900 & 31272 of 2023 : Mr.N.Umapathi



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For Petitioners
in WP.No.23126 of 2023: Mr.T.Dharani

For Petitioners
in WP.Nos.23812
& 25685 of 2023 : Mr.K.Raja

For Petitioner in
WP.No.25805 of 2023 : Mr.T.Dharani

For Respondents
in WP.Nos.23126, 21865, 21428, 25685, 23812, 25805 of 2023

For R1 & 2 : Mr.R.Ramanlal,
Additional Advocate General
Assisted by
Mr.P.Balathandayutham,
Special Government Pleader

For R3 : Mr.L.Murugavelu

For Respondents
in WP.No.28900, 31272 of 2023

For R1 to 4 : Mr.R.Ramanlal,
Additional Advocate General
Assisted by
Mr.P.Balathandayutham,
Special Government Pleader

For R5 : Mr.L.Murugavelu

For Respondents
in WP.No.22633 of 2023

For R1 to 4 : Mr.R.Ramanlal,



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Additional Advocate General
Assisted by
Mr.P.Balathandayutham,
Special Government Pleader

For R5 : Mr.L.Murugavelu

For Respondents
in WP.No.21666 of 2023

For R1 & 2 : Mr.R.Ramanlal,
Additional Advocate General
Assisted by
Mr.P.Balathandayutham,
Special Government Pleader

For R3 : Mr.M.Loganathan

For Respondents
in WP.No.22426 of 2023

For R1, 2, 4 & 5 : Mr.R.Ramanlal,
Additional Advocate General
Assisted by
Mr.P.Balathandayutham,
Special Government Pleader

For R3 : Mr.M.Loganathan

For 4th respondent in
WP.No.21428 of 2023 : M/s.D.Geetha

COMMON ORDER

All the writ petitions have been filed challenging the
notification No.06/MRB/2023 dated 11.07.2023 thereby calling upon



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applications for direct recruitment on temporary basis to the post of Health Inspector Grade-II on various grounds as follows:

(i) to consider the Post Graduation Diploma in Environmental Science either from Water Sanitation and Hygiene Institute (hereinafter called as 'WASH') which obtained equivalence vide GO.(Ms)No.45 Higher Education(K1) Department dated 19.04.2022

(ii) seeking relaxation of upper age limit for open quota candidate as per the order passed by this Court

(iii) students who had undergone different Board exams cannot be placed in common platform to arrive the weightage marks

(iv) awarding weightage marks for the qualifications

(v) non implementation of GO(Ms).No.338 Health and Family Welfare (L1) Department dated 02.08.2019 to fill up 334 vacancy

(vi) challenging the GO.(Ms).No.104 dated 28.03.2023

(vii) seeking appointment to the petitioners who had undergone one year Diploma in Sanitary Inspector Course from Community College affiliated to Pondicherry University on the basis of GO.(Ms).No.38 Health and Family Welfare (L1) Department dated 05.02.2016



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(viii)to consider the petitioners' educational qualification of Post Graduation Diploma in Sanitary Inspector Course obtained from Gandhigram Rural Institute

(ix)challenging the restrictions in the educational qualification of one year Multipurpose Health Worker Course certified/granted by the Director of Public Health and Preventive Medicine

(x) seeking weightage marks for the service rendered during covid-19 pandemic and

(xi) to allocate seats for Persons Studied in Tamil Medium.

2. Medical Services Recruitment Board issued notification No.6/MRB/2023 dated 11.07.2023 for direct recruitment to the post of Health Inspector Grade-II notifying 1066 vacancies which include 334 vacancies which was already earmarked to be filled up as per GO(Ms).No.338, Health and Family Welfare (L1) Department dated 02.08.2019. As per the notification, Educational Qualification prescribed as follows:



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6B. EDUCATIONAL QUALIFICATION:

Candidate shall possess the following qualification as per G.O (Ms). No.104, Health and Family Welfare (L1) Department, Dated:28.03.2023 on the date of this notification viz 11.07.2023.

(i) Must have passed plus two with Biology or Botany and Zoology

(ii) Must have passed Tamil Language as a subject in S.S.L.C Level

(iii) Must possess Two years Multipurpose Health Worker (Male) course / Health Inspector/ Sanitary Inspector Course Certificate granted by the Director of Public Health and Preventive Medicine

"Provided that those who possess the one year the Multipurpose Health Worker (Male) training course certificate granted by the Director of Public Health and Preventive Medicine conducted in the Government training Centre or Institutions approved by the Director of Public Health and Preventive Medicine, prior to the introduction of the two years Multipurpose Health Worker (Male) course / Health Inspector/ Sanitary Inspector Course Certificate granted by the Director of Public Health and Preventive Medicine, are also eligible for appointment to the said post."



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Note:

1. Candidates possessing the above qualifications on the date of notification alone shall apply for this post.

2. If a candidate claims that the education qualification possessed by him is equivalent though not the same as those prescribed in this notification, the onus of the proof rest with the candidate.

2.1 In the above notification, procedure of selection given as follows:

7a. Selection will be made based on the marks scored by the candidates in their academic and technical qualification(s) for the post of Health Inspector Grade-II duly following the rules of reservation and communal rotation issued by the Government of Tamilnadu and satisfaction of the qualification and other conditions stipulated in this notification. There will be no oral test(Interview) for the post.

Minimum educational qualification required for the post	Weightage of marks		
	Certificate / Diploma Course	HSC/PUC	SSLC/10th
Certificate or Diploma with HSC qualification	50%	30%	20%



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2.2 Insofar as age is concerned, the notification prescribed as follows:

S No	Category	Minimum Age(should have completed) (in years)	Maximum Age (in years)	
			SC/ST/SCA/BC/BCM / MBC&DNC	OC
a	For all categories	18	No maximum Age Limit	32*
b	Differently abled person	18	No maximum Age Limit	42*
c	Ex-servicemen	18	No maximum Age Limit	50*

*-As per orders issued in GO(Ms).No.91, Human Resources Management Department dated 13.09.2021

2.3 Insofar as reservation and related information is concerned, column No.5(f) of the notification speaks about the Persons Studied in Tamil Medium(PSTM) as follows:

Section 2(d) of the Tamilnadu Appointment on Preferential Basis in the Services under the State of Persons Studied in Tamil Medium (Amendment) Act, 2020, states that Person studied in Tamil medium means a person who has studied through Tamil Medium of instruction upto the educational qualification prescribed



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for direct recruitment in the rules or regulations or orders applicable to any appointment in the services under the State.

3. The learned Senior Counsel Mr.G.Sankaran appearing for the petitioners in WP.No.21428 of 2023 submitted that the Directorate of Public Health and Preventive Medicine has not conducted any certificate course for Multipurpose Health Worker Training / Health Inspector Course previously. Therefore, WASH Institute affiliated to Madurai Kamaraj University was offering PG Diploma in Environmental Sanitation Science from the academic year 2010-2011. The petitioners had studied PG Diploma in Environmental Sanitation Science. However, as per the resolution passed by the Committee which was constituted as per GO(Ms).No.91 Municipal and Water Supply(MC III) Department dated 11.02.2015 to recognise and approve one year Sanitary Inspector Course Certificate obtained from approved institute as one time measure which include the certificate issued by WASH Institute which is affiliated to Madurai Kamaraj University. Therefore, the petitioners are qualified for appointment to the post of Health Inspector Grade-II based



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on the one year Sanitary Inspector Course Certificate obtained from Madurai Kamaraj University. During Covid-19, the petitioners had also been selected and appointed as Health Inspector Grade-II on outsourcing method. Therefore, they filed writ petition in WP.No.272 of 2022 for direction to the respondents to implement the Government Order passed in GO(Ms).No.338, Health and Family Welfare (L1) Department dated 02.08.2019 and to order to fill up 334 posts of Health Inspector Grade-II. However, the writ petition was dismissed and writ appeal was filed, which is now pending. In the meanwhile, the Government passed order in G.O (Ms). No.104, Health and Family Welfare (L1) Department, Dated:28.03.2023 thereby amended sub-rule (b) in rule 5 of Adhoc Rules relating to qualification. Accordingly, now the education qualification has been fixed for recruitment to the post of Health Inspector Grade-II. However, one year Sanitary Inspector Course obtained prior to 13.04.2017 not included in the education qualification.

3.1 He further submitted that the selection process is also on the basis of marks obtained in SSLC, HSC and Certificate Course without



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following any written test or oral test. Therefore, it is violative of Articles 14 and 16 of Constitution of India since all the students had studied in different Boards. In the different Boards, the allotment of weightage marks is also different. Therefore, all the students cannot be equated under one process with regard to SSLC and HSC. In respect of Diploma Course, there is large scale of differences with reference to method of examination and awarding of marks from one University to another University. In fact, the syllabus also gets revised and updated periodically. Therefore, the selection process method cannot be fruitful one for assessment of comparative merit. He further submitted that insofar as PG Diploma obtained from WASH Institute is concerned, it is equivalent to Sanitary Inspector Course of Government of Tamilnadu vide GO.(Ms)No.45 Higher Education(K1) Department dated 19.04.2022. However in the impugned notification, the third respondent failed to note that the PG Diploma in Environmental Sanitation Science obtained from WASH Institute as also education qualification. The petitioners belong to OC category and the maximum age limit prescribed as 32 years without considering the relaxation of age limit since they had



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worked as frontline warriors on Covid-19 pandemic situation and also considering the fact that they are battling for regular appointment before this Court in respect of the vacancies available from the year 2018 onwards.

4. The learned Counsel Mr.M.Gnanasekaran appearing for the petitioners in WP.No.21666 of 2023 submitted that the petitioners studied one year Diploma in Sanitary Inspector Course from Community College which is affiliated to Pondicherry University as per GO.(Ms).No.38 Health and Family Welfare (L1) Department dated 05.02.2016. Therefore they are eligible to apply to the post of Health Inspector Grade-II as per the impugned notification. When the Director of Public Health and Preventive Medicine by its communication dated 08.09.2007 clearly stated that the Diploma in Sanitation Course content and the Training of the course offered by the Community College of Pondicherry University syllabus is similar to Tamilnadu State syllabus and it has been recommended to Government that as a special, one time permission may be given. Therefore, they are also eligible to apply to the post of Health Inspector Grade-II.



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5. The learned counsel Mr.K.Raja appearing for the petitioners in WP.No.25685 of 2023 and also the learned counsels appearing for the petitioners in other writ petitions submitted that during covid-19, the Government of Tamilnadu had granted permission to engage 2715 Multipurpose Health Workers(Male). In pursuant to the said permission, the petitioners are being the Diploma Certificate Holders in Multipurpose Health Workers(Male), were appointed in the month of April 2020 on consolidated monthly salary of Rs.20,000/-. They had worked upto November 2021. Thereafter, they had joined in Makkalai Thedi Maruthuvam Scheme in the month of December 2021. However as per the selection process, no marks were awarded for the persons who had worked during covid-19. Insofar as other recruitment to the post of Doctors, Nurses and Lab Technicians are concerned, they were given incentive marks. However, for the post of Health Inspector Grade-II, no marks are awarded for the candidates who had worked during covid-19. Further, as per Government Order also, 20% vacancies are earmarked for Persons Studied in Tamil Medium. As per the notification calling upon applications to fill up 1066 posts of Health Inspector Grade-II, in which



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213 seats come under 20% of PSTM category. However only 153 seats were allotted to Tamil medium students, which is also contrary to law.

6. Mr.N.Umapathi, the learned counsel appearing for the petitioners in WP.No.28900 of 2023 also submitted that the petitioners completed their Health Inspector Course in approved training institutions and recognised by the Government of Tamilnadu. Mrs.V.Srimathi, the learned counsel appearing for the petitioners in WP.No.21865 of 2023 would submit that the petitioners completed Post Graduate Diploma in Sanitary Inspector Course from Gandhigram Rural Institute - Deemed University during the year 2014-2016. Therefore, they are also eligible to apply to the post of Health Inspector Grade-II. In fact, they had completed their course prior to introduction of two years course. Further, the institution has also been declared to be equivalent to Government institute.

7. Heard, the learned counsel appearing on either side.



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8. On perusal of the counter filed by the respondents and on the submissions of the learned Additional Advocate General, revealed that all the petitioners in all the writ petitions are qualified with 10, +2, degree in Science, one year PG Diploma in Environmental Sanitary Science from WASH Institute affiliated to Madurai Kamaraj University, two years Diploma from Gandhigram Rural Institute and one year Sanitary Inspector Course from Community College affiliated to Pondicherry University. As per the notification, the candidates must have passed +2 with Biology or Botany and Zoology, must have passed Tamil as a subject in SSLC level and must have passed 2 years Multipurpose Health Worker(Male) Course / Health Inspector / Sanitary Inspector Course Certificate granted by Director of Public Health and Preventive Medicine. The candidates should also have undergone one year Multipurpose Health Worker(Male) Training Course conducted in the Government Training Centre or Institutions approved by the Director of Public Health and Preventive Medicine prior to the introduction of two years Multipurpose Health Worker (Male) course. Therefore, the persons who studied various Sanitary Inspector Course, Diploma in Sanitary



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Inspector Course from other institutions, though affiliated to their respective University, are not eligible to apply to the post of Health Inspector Grade-II. Only in the year 2019, the Government granted permission to WASH for starting two years Health Inspector course vide GO.No.32 Health and Family Welfare(N1) Department dated 08.02.2019. Further, the Government issued order in GO.Ms.No.232, Health and Family Welfare (L1) Department dated 17.02.2013 thereby amended Adhoc Rules for the post of Multipurpose Health Supervisor and Multipurpose Health Worker (renamed as Health Inspector Grade-I and II respectively).

8. Further, the WASH is not approved by the Director of Public Health and Preventive Medicine for conducting PG Diploma in Environmental Sanitation Science Course. As per Rule 5(b), the said institution can be termed as unrecognised institute and those candidates who studied in these institutions are not qualified to get appointment in the post of Health Inspector Grade-II. In order to scrutinise the certificate issued, a Committee was constituted as per GO.Ms.No.91 Municipal and



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Water Supply (MCIII) Department dated 11.02.2015 consisting the Principal Secretary to Government, Municipal Administration and Water Supply Department as President; Secretary to Government, Rural Development and Panchayat Raj Department; and Principal Secretary to Government, Commissioner, Corporation of Chennai, Managing Director, Municipality and the Director of Town Panchayat, The Director of Public Health and Preventive Medicine, Chennai as members. The Committee decided that the Sanitary Inspector certificate granted by the Director of Public Health and Preventive Medicine and Gandhigram Rural Institute alone should be considered as qualified certificate for the post of Sanitary Inspector / Health Inspector in local bodies. It is also to be noted that its resolution is only applicable for appointment to the post of Sanitary Inspector in Municipal Administration Department. However, the course offered by WASH was not recognised by the Director of Public Health and Preventive Medicine till the year 2019. Therefore, the certificates issued to the candidates from the said institute before 2019 are not eligible for appointment to the post of Health Inspector Grade-II.



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10. The Government has permitted the Director of Public Health and Preventive Medicine to fill up 334 vacant posts of Health Inspector Grade-II by giving one time relaxation of Rule 5(b) of Adhoc Rules and issued GO.Ms.No.338 Health and Family Welfare(L1) Department dated 02.08.2019. However, the third respondent requested to fill up the said post as per Government order. Unfortunately, there was covid-19 pandemic and as such, during the year 2020, on the Public Health exigency caused by covid-19, Health Inspectors Grade-II were engaged by outsourcing method on temporary basis. In fact, batch of writ petitions were filed to implement GO.Ms.No.338 dated 02.08.2019 to fill up 334 posts of Health Inspector Grade-II. However, this Court dismissed the writ petitions. Now in the present notification, the 334 posts are also included in the total vacancy of 1066 posts of Health Inspector Grade-II.

11. The Government of Pondicherry has recognised Diploma in Sanitary Inspector Course conducted by Pondicherry University Community College. But the Tamilnadu Government has not recognised the Pondicherry Univeristy Community College. The post of Health



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Inspector Grade-II is being filled up as per the Adhoc Rules and the amendment in GO.Ms.No.232, Health and Family Welfare (L1) Department dated 17.02.2013. The qualification for appointment to the post of Health Inspector Grade-II by direct recruitment is that they must have passed +2 Biology or Botany and Zoology, must have passed Tamil as a subject in SSLC level and must possess one year Multipurpose Health Worker(Male) Training Course certificate granted by the Director of Public Health and Preventive Medicine conducted in the Government Training Centre or Institutions approved by the Director of Public Health and Preventive Medicine. As per GO.Ms.No.107 Health and Family Welfare (N1) Department dated 13.04.2017, Government ordered for revision of guidelines and syllabus and authorised the Director of Public Health and Preventive Medicine to:

(i) Approve the new guidelines and syllabus of the Multi Purpose Health Worker(Male) / Health Inspector / Sanitary Inspector course offered by Private Institution / Trust / Universities / Deemed Universities;

(ii) Adopt the new procedural requirement if any for applying the above said courses conducted by Private Institutions / Trust / Universities / Deemed Universities



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including Gandhigram Rural Institute; and

*(iii) To conduct the above examinations as
Chairman, Board of Examinations for the courses
conducted by the above institutions.*

11.1 Based on the said order and as per the revised guidelines 56 private Multipurpose Health Worker (Male) / Health Inspector Grade-II / Sanitary Inspectors Training Schools were permitted to conduct training with two years course. Thereafter, the Adhoc Rules were amended for appointment to the post of Health Inspector Grade-II in GO.Ms.No.104 Health and Family Welfare (L1) Department dated 18.03.2023, as follows:

In the said Rules, in rule 5, in sub-rule (b), the Table for the entries in item (iii) under column (2) against the entry "By Direct Recruitment" in column (1) and for the entries in item (iv) under column (2) against the entry "By recruitment by transfer from Tamil Nadu Basic Service under the control of the Director of Public Health and Preventive Medicine" in column (1), the following entries shall respectively be, substituted, namely:-

"Must possess two years Multipurpose Health Worker (Male) /Health Inspector/Sanitary Inspector



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Course Certificate granted by the Director of Public Health and Preventive Medicine:

Provided that those who possess the one year Multipurpose Health Worker (Male) training course certificate granted by the Director of Public Health and Preventive Medicine conducted in the Government training centre or Institutions approved by the Director of Public Health and Preventive Medicine, prior to the introduction of the two years Multipurpose Health Worker (Male)/ Health Inspector/Sanitary Inspector course certificate granted by the Director of Public Health and Preventive Medicine, are also eligible for appointment to the said post."

11.2 Therefore those who have completed one year Multipurpose Health Worker Training Course certificate granted by the Director of Public Health and Preventive Medicine conducted in Government Training Centre or Institutions approved by the Director of Public Health and Preventive Medicine are eligible for appointment to the post of Health Inspector Grade-II. Accordingly, now the present notification has been issued to recruit in 1066 Health Inspector Grade-II posts.



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12. Diploma in Sanitary Inspector Course offered by the Pondicherry University is not approved by the Director of Public Health and Preventive Medicine as per GO.Ms.No.104 dated 28.03.2023. Relaxation was given in GO.Ms.No.305 Health and Family Welfare Department dated 20.09.2009 due to non availability of Sanitary Inspector trained candidates at that time. Therefore, the said extension cannot be extended now.

13. Insofar as weightage marks is concerned, already issued GO.Ms.No.401 Health and Family Welfare (C2) Department dated 16.12.2014 and the same was challenged before this Court. This court held that the contention of awarding weightage marks cannot be countenanced and it is for the respondents to give effect to weightage system to select the candidates in accordance with law. Further, the process of selection for para medical course is based on the marks obtained by the candidates in various examinations i.e. decree / diploma/certificate, HSC/PUC & SSLC/10th Std by giving weightage to their academic performance at 50%, 30% and 20% respectively. The



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entire selection is being done without any oral examination for these posts solely by merit based on their academic performance and communal reservation. The same was also confirmed by the Hon'ble Supreme Court of India in SLP.Nos.34134 & 34135 of 2017 by an order dated 22.12.2017.

14. Insofar as quota under PSTM Act is concerned, the third respondent followed Section 6 of PSTM Act and fixed the number of persons for the posts of Health Inspector Grade-II under PSTM quota. That apart, this post is meant for male and accordingly, the third respondent fixed the number of candidates under PSTM quota.

15. Insofar as weightage marks for the persons who had worked during covid-19 Pandemic, the Government granted incentive marks for the contract Health Inspectors for their service rendered during Covid-19 pandemic by the GO.Ms.No.299, Health and Family Welfare (L1) Department dated 12.09.2023. The said Government order has been passed by the Director of Public Health and Preventive Medicine taking



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into consideration of guidelines of Government of India / orders issued by the Hon'ble Supreme Court of India and incentive marks awarded to Health Inspectors who had rendered services during Covid-19 as per the following criteria:

S No	Criteria	Marks to be given
1	For those who have worked in Government institutions during COVID19 pandemic for a period of minimum of six months to one year continuously (6 to 12 months) (without break in service)	Two marks
2	For those who have worked in Government institutions during COVID 19 pandemic for a period of above one year to one and half year continuously (12+months to 18 months) (without break in service)	Three marks
3	For those who have worked in Government institutions during COVID19 pandemic for a period of above one and half year to two years continuously (18+months to 24 months) (without break in service)	Four marks
4	For those who have worked in Government Institutions during COVID 19 pandemic for a period of above two years (over 24 months)	Five marks

15.1 It is also made clear that the above marks may be awarded to the individuals concerned as a one time measure only subject to the following conditions:



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i. The individuals should have worked in Urban / rural/local body run Covid care centre / Covid health centre etc / Medical colleges / Government hospitals/Primary Health Centres / Health Sub Centres

ii.The individuals should produce experience certificate / duty certificate as per the format annexed to this order, issued by the Deputy Director of Health Services / concerned Officers duly indicating the period they have worked in that institution

iii.The incentive marks given above are applicable to all the eligible candidates as a one-time measure only

iv.The incentive marks will be eligible to only one recruitment which is being done after the COVID-19 Pandemic situation

v.This incentive marks are not eligible to the candidates for successive recruitments.

16. In view of the above, this Court finds no infirmity or illegality in the impugned notification No.06/MRB/2023 dated 11.07.2023 and Government order in G.O (Ms). No.104, Health and Family Welfare (L1) Department, dated 28.03.2023. As such, all the writ petitions are devoid of merits and liable to be dismissed. Accordingly, all the writ petitions are dismissed. Medical Services Recruitment Board is



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directed to complete the selection process for direct recruitment to the posts of Health Inspector Grade-II within a period of three months from the date of receipt of copy of this order. It is also made clear that Medical Services Recruitment Board is directed to strictly adhere to the Government Order passed in GO.Ms.No.299, Health and Family Welfare (L1) Department dated 12.09.2023 by awarding incentive marks for the candidates who had worked during covid-19. Consequently, connected miscellaneous petitions are closed. There shall be no order as to costs.

04.04.2024
(2/2)

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

- 1.Principal Secretary to Government,
The State of Tamilnadu,
Health and Family Welfare Department,
Secretariat, Fort St.George,
Chennai 600 009
- 2.The Director of Public Health and Preventive Medicine,
DMS Compound, Anna Salai,
Teynampet,
Chennai 600 006
- 3.The Chairman,
Medical Services Recruitment Board,
7th Floor, DMS Buildings,
359, Anna Salai, Teynampet,
Chennai 600 006



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G.K.ILANTHIRAIYAN, J.

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