



W.P.(MD)No.9244 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 16.04.2024

CORAM

**THE HONOURABLE MS. JUSTICE R.N.MANJULA**

**W.P.(MD)No.9244 of 2024**

**and**

**W.M.P.(MD).Nos.8414 and 8415 of 2024**

Janani

... Petitioner

Vs.

- 1.The Principal Secretary to the Government,  
Department of Health and Family Welfare (L1) Department,  
Fort St.George,  
Chennai – 9.
- 2.The Principal Secretary to the Government,  
Municipal Administration and Water Supply Department,  
Fort St.George,  
Chennai – 9.
- 3.The Director of Municipal Administration,  
Chepauk,  
Chennai.
- 4.The Director of Town Panchayats,  
Urban Administrative Building,  
Chennai – 600 028.
- 5.The Commissioner,  
Greater Chennai Corporation,  
Chennai.



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6.The Managing Director,  
TWAD Board,  
Chepauk, Chennai.

7.The Managing Director,  
Chennai Metropolitan Water Supply and Sewerage Board,  
Chennai. ... Respondents

**PRAYER:** Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the respondents to permit the petitioner to participate in the recruitment to the post of Sanitary Inspector in pursuance to the notification No.01/DMA/Recruitment/2024 dated 02.02.2024 issued by the fourth respondent by treating the educational qualification possessed by the petitioner i.e., B.Sc., Chemistry with Sanitary Inspector course as eligible qualification for the post of Sanitary Inspector course within the time period stipulated by this Court.

For Petitioner : Mr.V.Gubanthiran

For Respondents : Mr.J.Ashok  
Additional Government Pleader

### **ORDER**

Heard Mr.V.Gubanthiran, learned counsel for the petitioner and Mr.J.Ashok, learned Additional Government Pleader for the respondents.



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**WEB COPY** 2. By consent of both parties, this Writ Petition is taken up for final disposal at the stage of admission itself.

3. This Writ Petition has been filed for issuance of Writ of Mandamus, seeking direction against the respondents to permit the petitioner to participate in the recruitment to the post of Sanitary Inspector in pursuance of the Notification dated 02.02.2024 issued by the fourth respondent, by treating the educational qualification possessed by the petitioner i.e., B.Sc., Chemistry with Sanitary Inspector Course as eligible qualification for the post of Sanitary Inspector.

4. Mr.V.Gubanthiran, learned counsel for the petitioner submitted that the Municipal Administration and Water Supply Department had issued a Notification dated 02.02.2024 inviting applications from the eligible candidates through Online mode for direct recruitment of notified posts on a temporary basis. In pursuance of the said Notification, the petitioner applied to the post of Sanitary Inspector. Earlier, the qualification for the post of Sanitary Inspector was prescribed as B.Sc., Chemistry. While so, an amendment to that effect was issued vide



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G.O(Ms)No.104, Municipal Administration and Water Supply (ME.III)

Department, dated 20.11.2012, thereby mandating the qualification of B.Sc., Chemistry with Sanitary Inspector's Certificate. But, however, the qualification was further amended vide G.O(Ms)No.45, Municipal Administration and Water Supply (Election) Department, dated 12.04.2023, for the post of Sanitary Inspector by direct recruitment that candidate must possess B.Sc., Degree in Zoology allied with Chemistry or Biochemistry or Chemistry allied with Zoology; or B.Sc., Degree in Public Health or Environmental Science or Microbiology or Biochemistry; and must have completed Sanitary Inspector Course from any institution approved by the Government of Tamil Nadu.

5. Now, the Notification has been issued on 02.02.2024 by incorporating the qualification adopted by virtue of the subsequent amendment made through the G.O(Ms)No.45, Municipal Administration and Water Supply (Election) Department, dated 12.04.2023. The grievance of the petitioner and similar persons like that of the petitioner is that that no recruitment to the post of Sanitary Inspector was done from the year 2014. All those persons who got themselves qualified in B.Sc., Chemistry in pursuance of the earlier amendment made through G.O(Ms)No.104



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dated 20.11.2012 were deprived of the opportunity to apply to the said post

pursuant to the present notification dated 02.02.2024. Similar persons like

that of the petitioner have filed various Writ Petitions by making the very

same submissions and got an order from this Court for accepting their

application, even while the larger issue raised in the Writ Petition was

pending. One such interim order has been passed in

W.P.No.5408 of 2024 dated 29.02.2024. Also, another set of persons have

filed W.P.(MD).Nos.5618, 5619 and 5982 of 2024 and this Court vide

order dated 11.03.2024, issued direction to accept the applications of the

petitioners by relying on the earlier interim order in W.P.No.5408 of 2024,

dated 29.02.2024. The present Writ Petition has also been filed in the

same fashion. But however, the petitioner has approached this Court after

the deadline of 12.03.2024. However, the petitioner has submitted that

though he has filed this Writ Petition subsequent to 12.03.2024, he had

filed application through Online mode before the cut off date, i.e.,

12.03.2024. So, it is submitted by the learned counsel for the petitioner

that unless the petitioner's application is also admitted like that of the other

persons who have got the order to that effect, he may not get the hall ticket

for writing the written examination.



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6. When the benefit of accepting the application pending the larger issue to be decided is given to similarly placed persons, the same benefit can be given to all those persons who have submitted the applications on or before 12.03.2024 and who possess the qualification of B.Sc., Chemistry as prescribed through the amended G.O(Ms)No.104, dated 20.11.2012. So, there cannot be any difficulty in considering the petitioner's application, if he had filed it before 12.03.2024. But the scope of allowing the petitioner to participate in the further selection process or to get an appointment order would depend upon the decision taken in the earlier Writ Petition in W.P.No.5408 of 2024.

7. With the above direction, this Writ Petition is **disposed of**. No costs. Consequently, connected miscellaneous petitions are closed.

**16.04.2024**

NCC:yes/no  
Index:yes/no  
Internet:yes/no  
Nsr



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**R.N.MANJULA, J.**

Nsr

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