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W.P.(MD) No.20375 of 2017

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 24.09.2024

CORAM:

THE HONOURABLE MR.JUSTICE ABDUL QUDDHOSE

W.P.(MD) No.20375 of 2017

and

W.M.P.(MD) No.16618 of 2017

K.S.Ayoob Khan

... Petitioner

-vs-

1.The Secretary to Government
Government of Tamil Nadu
Health and Family Welfare Department
Chennai-9

2.The Director
Public Health and
Preventive Medicine Department
Chennai-6

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a writ of certiorari calling for the records pertaining to impugned order of the second respondent dated 26.07.2017 in Na.Ka.No.37529/Pa.No.1/Iru.1/2017 and quash the same.



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For Petitioner : Mr.J.Anandkumar

For Respondents : Mr.G.Suriya Ananth
Additional Government Pleader

ORDER

This writ petition has been filed challenging the order dated 26.07.2017, passed by the second respondent, rejecting the petitioner's request for being appointed to the post of Multi Purpose Worker.

2. Under the impugned order, the petitioner's request has been rejected for the reason that he has approached the second respondent, after a lapse of eleven years from the date when he was earlier called for counselling pursuant to a notification issued earlier in the year 2006. The respondents have also rejected the petitioner's request on the ground that subsequent to the earlier Government Order, namely, G.O.(Ms) No.278, Health and Family Welfare (N2) Department, dated 31.10.2006, based on which the petitioner was earlier called for counselling, a new Government Order, namely, G.O.No. 232, dated 17.10.2013, is in existence, which provides for different qualifications, which the petitioner has not satisfied.



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3. Admittedly, the petitioner missed the bus by not participating in the counselling called for by the respondents in the year 2006, when he had applied for the post of Health Inspector in the second respondent – Department. Only due to his absence in the counselling, he was not appointed to the post of Health Inspector. Admittedly, only after a lapse of eleven years from the date on which he was earlier called for counselling, on the basis that a similarly placed person was appointed as Multi Purpose Worker by the second respondent – Department, the petitioner has requested the second respondent to consider him to be appointed as a Multi Purpose Worker. The respondents have rightly rejected the petitioner's request, on the ground of laches that he has approached them after a lapse of eleven years from the date when he was called for counselling in the year 2006 and also on the ground that subsequent to the earlier Government Order, namely, G.O. (Ms) No.278, Health and Family Welfare (N2) Department, dated 31.10.2006, a new Government Order, namely, G.O.No.232, dated 17.10.2013, which provides for additional qualifications, is in existence, which the petitioner has not satisfied.



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4. This Court does not find any merit in this writ petition.

Accordingly, this writ petition is dismissed. No costs. Consequently, connected miscellaneous petition is closed.

24.09.2024

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

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To:

- 1.The Secretary to Government,
Government of Tamil Nadu,
Health and Family Welfare Department,
Chennai-9.
- 2.The Director,
Public Health and
Preventive Medicine Department,
Chennai-6.



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ABDUL QUDDHOSE, J.

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