



W.P.No.17082 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

WEB COPY

DATED: 19.06.2025

CORAM

THE HON'BLE MR.JUSTICE C.KUMARAPPAN

W.P.No.17082 of 2025 and W.M.P No.19367 of 2025

D.Divya Sunitha

... Petitioner

-VS-

1. The State of Tamil Nadu
Rep. by the Secretary to Govt.
Health & Family Welfare Department
Fort St. George
Chennai-600 009

2.The Director of Public Health &
Preventive Medicine
Teynampet, Chennai-600 006.

3.The District Health Officer
Thiruvallur

4.Medical Services Recruitment Board(MRB)
Represented by its Chairman
7th Floor, DMS Building, 359, Anna Salai
Teynampet, Chennai-600 006.

... Respondents

Prayer: Petition is filed under Article 226 of the Constitution of India to issue a Writ of Certiorarified Mandamus, calling for the records in respect of the impugned order of termination in R.No.1640/E4/2024-1 dated 14.03.2025 issued by the third respondent and quash the same and



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consequently direct the respondents to grant a further time of two years to pass the Second Language Test in Tamil conducted by TNPSC.

For Petitioner : Mr.N.Fidelia
For R1 to R3 : Mr.K.Tippu Sultan
Government Advocate

For R4 : Mr.L.Murugavelu

ORDER

This Writ Petition is filed for a Certiorarified Mandamus, calling for the records in respect of the impugned order of termination in R.No.1640/E4/2024-1 dated 14.03.2025 issued by the third respondent and quash the same and consequently direct the respondents to grant a further time of two years to pass the Second Language Test in Tamil conducted by TNPSC.

2. Though the instant writ petition had been filed challenging the termination order dated 14.03.2025, by and in which the petitioner was terminated for not qualifying in the language test. Though the petitioner had challenged the termination order, the counsel for the petitioner would want only an extension of time to qualify in the second language (Tamil) Test.



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3. However, the Government Advocate would strongly object the prayer of the petitioner and would submit that qualifying the language test is an essential requirement for a government employee and the government had taken a policy decision that every government employee should know Tamil language while they are in service. In the case on hand, the petitioner including the other four petitioners in connected W.P Nos.17044, 17081, 17087 & 17621 of 2025, have joined service between 2017 and 2020. In spite of giving various opportunities, they did not pass the mandatory language test. Therefore, their rejection is in accordance with rules and there is no perversity in the order.

4. I have given my anxious consideration to either side submissions.

5. I am in full agreement with the submissions made by the learned Government Advocate. At the same time, though the petitioner had challenged the impugned order, now he want only an extension of time.



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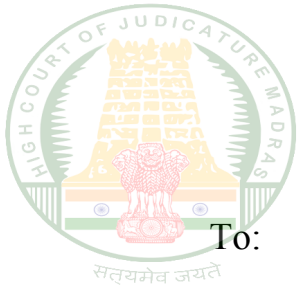
This Court, while exercising the judicial review do not want to usurp the power of the employer. Hence, while dismissing this writ petition, this Court would like to give liberty to the petitioner to approach her employer by giving a representation.

6. In such view of the matter, the writ petition is dismissed. However, the petitioner is given liberty to give a representation for extension of time within a period of two weeks from the date of receipt of a copy of this order. On such receipt of the representation, the respondents are directed to consider and pass appropriate orders according to its own merits and in accordance with law, within a further period of six weeks. Consequently, connected miscellaneous petition is closed.

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Index: Yes/No
Internet: Yes/No
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To:

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C.KUMARAPPAN,J.,
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