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W.P.No.45544 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.11.2025

CORAM:

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

W.P.No.45544 of 2025
and W.M.P.No.50727 of 2025

D.Divya Sunitha

... Petitioner

-Vs-

1. The State of Tamil Nadu,
Represented By The Secretary to Govt.,
Health and Family Welfare Department,
Fort St. George,
Chennai-600 009.
2. The Director of Public Health and Preventive Medicine,
Teynampet, Chennai-600 006.
3. The District Health Officer,
Tiruvallur District -602 001.

... Respondents

Prayer : Writ Petition filed under Article 226 of Constitution of India praying for the issuance of a Writ of Certiorarified Mandamus, calling for the records in respect of the Notice in Na.Ka.No.1640/E4/2024-1 dated 27.10.2025 issued by the 3rd respondent and quash the same as arbitrary and consequently direct the



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Respondents to reinstate the Petitioner without any break in service by granting two year time to pass the Second Class Language Test in Tamil conducted by TNPSC.

For Petitioner : M/s.R.Maheswari

For R1 to R3 : Mr.M.Bindran, Additional Government Pleader

ORDER

This Writ Petition has been filed challenging the order passed by the third respondent dated 27.10.2025, thereby confirming the order of discharge from service of the petitioner.

2. Heard the learned counsel on either side and perused the materials available on record.

3. The petitioner was selected for the post of Village Health Nurse, on condition that the petitioner shall have adequate knowledge of the official language of the State viz., Tamil and also should have passed the Second Class Language Test conducted by the Tamil Nadu Public Service Commission.



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Though the petitioner was appointed and joined on 13.01.2020 as a Village Health Nurse, the petitioner failed to pass the Tamil language test conducted by the Tamil Nadu Public Service Commission. Due to Covid-19 pandemic circumstances, the Tamil Nadu Public Service Commission did not conduct any examination for two years. Thereafter, the petitioner failed to clear the Tamil language. Therefore, she was discharged from her employment by an order dated 14.03.2025. It was also challenged before this Court in W.P.No.17082 of 2025.

4. This Court, by an order dated 19.06.2025 dismissed the writ petition. However, the petitioner was 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 the order to clear the Tamil language examination. However, the petitioner failed to submit any representation as directed by this Court. Therefore, the third respondent, by an order dated 27.10.2025 confirmed the order of discharge of the petitioner from service. Hence, this writ petition.



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5. The learned counsel for the petitioner submits that the period of Covid-19 may be excluded from the total period of five years and a period of two years may be extended to clear the language examination conducted by the Tamil Nadu Public Service Commission.

6. On instructions, the learned Additional Government Pleader appearing for the respondents submitted that even after the period of Covid-19, the petitioner was given two years time and even then, the petitioner did not complete the Tamil language exam. That apart, the petitioner was already discharged from service from 14.03.2025.

7. Admittedly, the petitioner is qualified with all eligibility to be appointed as a Village Health Nurse. However, the petitioner failed to complete the language exam as per the condition imposed at the time of her appointment. Due to Covid-19, she failed to complete the Tamil language examination.



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8. Considering the facts and circumstances of the case, the petitioner may be given one more opportunity to clear the Tamil language examination. Accordingly, the respondents are directed to permit the petitioner to write the Tamil language exam conducted by the Tamil Nadu Public Service Commission which is one of the conditions of her appointment within two attempts viz., December, 2025 and May, 2026. If the petitioner clears the Tamil language exam within two attempts, the respondents are directed to re-instate the petitioner into service to the post of Village Health Nurse, forthwith, with service continuity and without any monetary benefits.

9. With the above directions, this writ petition stands disposed of. Consequently, connected Miscellaneous petition is closed. No costs.

21.11.2025

(4/4)

Internet: Yes

Index : Yes/No

Neutral Citation: Yes/No

Speaking/Non Speaking order

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To

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1. The Secretary to Government,
The State of Tamil Nadu,
Health and Family Welfare Department,
Fort St.George,
Chennai - 600 009.
2. The Director of Public Health and Preventive Medicine,
Teynampet, Chennai - 600 006.
3. The District Health Officer,
Thiruvallur District 602 001.



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mn

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