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W.P.No.632 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED:12.01.2026

C O R A M

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.No.632 of 2026
and W.M.P.Nos.763, 765 & 767 of 2026

1.B.Manimaran
2.G.Venkatesh
3.R.Raji
4.S.Ramkumar
5.V.Muganthanraj
6.K.Kathiravan
7.T.Jeyashreevishnu Kumar
8.P.E.Saravanan

... Petitioners

Vs

1.The State of Tamil Nadu,
Rep.by its Principal Secretary to Government,
Health and Family Welfare (L1) Department,
Fort St.George,
Chennai-600 009.

2.The State of Tamil Nadu,
Rep by its Principal Secretary to Government,
Municipal Administration & Water Supply Department,
Fort St.George
Chennai-600 009.

3.The Director,
Directorate of Public Health and Preventive Medicine,
Chennai.



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4. Medical Service Recruitment Board,
Rep. by its Chairman
Government of Tamilnadu,
No.359, Anna Salai, DMS Complex,
Teynampet, Chennai-600 006.

... Respondents

PRAYER : Petition filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus directing the respondents to appoint the petitioners as Health Inspector Grade II/Multipurpose Health Worker pursuant to the order dated 13.11.2025 passed in W.P.No.43791 of 2025 as the petitioners are similarly placed and have completed their Diploma in Sanitary Inspector course at Pondicherry University Community College.

For Petitioner : M/s.N.Kavitha Rameshwar

For Respondents : Mrs.M.Sneha,
Special Counsel

ORDER

This Writ Petition has been filed seeking a direction to the respondents to appoint the petitioners as Health Inspector Grade II/Multipurpose Health Worker pursuant to the order passed by this Court in W.P.No.43791 of 2025 dated 13.11.2025.

2. It is the case of the petitioners that they have completed diploma in Sanitary Inspector at Pondicherry University and have been appointed by the 3rd respondent on Contract/temporary basis in the year 2020 and the persons similarly placed like the petitioners filed a Writ Petition in W.P.No.25671 of 2021



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seeking regularization of their services as Sanitary Inspector Grade-II which petition was dismissed and Writ Appeal in W.P.No.489 of 2025 against the said order is pending consideration. In the meanwhile, the G.O.Ms.No.243 Higher Education Department dated 12.09.2023 came to be issued and further recruitment notification was issued by the 3rd respondent for the post of Health Inspector Grade II. Challenging the said notification, W.P.No.22426 of 2023 etc batch has been filed which was dismissed by this Court on 04.04.2024.

3. In the meanwhile, another group of persons filed a Writ Petition in W.P.No.25673 of 2013 for similar relief which was dismissed vide order dated 13.03.2018 and the Writ Appeal in W.A.No.1606 of 2014 against the said order also ended in dismissal against which a Review Application in R.P.No.40 of 2024 was filed in which direction was given to the petitioners to file a representation and for the respondents to consider the same in terms of G.O.Ms.No.243 dated 12.09.2021. Pursuant to the same, representation was submitted which was rejected by the respondents citing G.O.Ms.No.104, Health and Family Welfare (L1) Department dated 28.03.2023 holding that the persons who have completed diploma course on before the 13.04.2017 alone will be considered. Against the said order, W.P.No.25963 of 2025 was filed which is pending consideration. Thereafter, W.P.No.43971 of 2025 came to be filed by the candidates similarly placed seeking to quash the notification dated 07.10.2025 in which, this Court



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vide order dated 13.11.2025 disposed of the petitioner directing the respondents to consider the petitioners and other candidates who obtained Diploma at Pondicherry University College for the post of Health Inspector Grade II which has not been affirmatively considered which has resulted in filing the present Writ Petition.

4. Learned counsel appearing for the petitioners submitted that, out of 110 notified posts reserved for Pondicherry University Community College, only 93 posts were filled up by the candidates who possessed one year Diploma Course from the Pondicherry community college and that the petitioners being similarly placed, are also eligible for appointment and therefore, sought extension of the very same benefit granted by this Court vide order dated 09.07.2024 passed in the Review Application. Accordingly, the learned counsel prayed for allowing the Writ Petition.

5. Per Contra, learned Special Counsel appearing for the respondents submitted that, a Review Application was filed on the basis of the G.O.Ms.No.104 dated 28.03.2023 which enabled the candidates those who had completed one year diploma course to participate in the selection process on par with the candidates holding the certificates issued by the State of Tamil Nadu .The said relief was granted only in favour of the persons those who were



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appointed prior to 2016 and not to persons appointed thereafter.

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6. It is further submitted that several persons were engaged during COVID-19 pandemic and therefore, the petitioners herein cannot be singled out for granting the benefit of G.O.Ms.No.38 dated 05.02.2016. The order passed by the Division Bench is applicable only to those appointed prior to 2016 whereas the petitioners herein were subsequently appointed in the year 2019. Though their services were utilized during COVID -19 period, they are only entitled to participate in the selection process to be conducted by the Tamil Nadu Medical Recruitment Board.

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

8. It is the specific case of the petitioners that they are entitled to be granted the very same benefits which were extended to certain other persons under G.O.Ms.No.104 dated 28.03.2023 on the ground that they had rendered service during COVID-19 period.



9. This Court finds that several hundred similarly placed persons were engaged during the years 2019-2020 during COVID -19 pandemic and extending the benefit exclusively to the petitioners would be impermissible when the G.O is expressly confined only to those candidates who were appointed prior to the year 2016. The petitioners, having been appointed subsequently in the year 2019, cannot claim parity with those earlier appointees.

10. It is well settled that, when the Government has taken a policy decision to grant benefit for a particular period of time and so long as no arbitrariness and or unreasonableness is pointed out in the same, this Court cannot interfere with the policy decision of the Government merely because the petitioners have rendered service during the COVID-19 period does not entitle them to claim extension of benefits under the said G.O. Therefore, this Court is of the view that granting such benefits would open the floodgates for further litigation for persons similarly placed and that the Government has passed the aforesaid G.O consciously prescribing the COVID period as 2017 which cannot be found fault with.



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11. Though the services of the petitioners were said to be utilized during the COVID-19 pandemic, such utilization does not confer any right upon the petitioners to seek extension of the aforesaid benefits. The petitioners are at liberty to participate in the selection process to be conducted by the Tamil Nadu Medical Recruitment Board subject to fulfillment of the prescribed eligibility criteria and in accordance with the relevant G.Os and if any such benefit is provided therein. Hence, the relief sought for in this Writ Petition cannot be acceded to and the Writ Petition deserves to be dismissed.

12. For the reasons aforesaid, the Writ Petition is dismissed. There shall be no order as to costs. Consequently, connected Miscellaneous Petitions are closed.

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Index : Yes / No
Speaking Order / Non-speaking order
Neutral Citation Case : Yes / No
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Note to Office : Issue order copy on 19.01.2026



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To

1.The Principal Secretary to Government,
The State of Tamil Nadu,
Health and Family Welfare (L1) Department,
Fort St.George,
Chennai-600 009.

2.The Principal Secretary to Government,
The State of Tamil Nadu,
Municipal Administration & Water Supply Department,
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4.Medical Service Recruitment Boardd,
Rep.by its Chairman
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This matter was listed today under the caption “for being mentioned”.

2. Heard the learned counsels appearing on either side.

3. The learned counsel for the petitioners submitted that in the cause title of the order dated 12.01.2026, the third petitioner’s name has been inadvertently mentioned as R.Raji instead of R.Viji and hence, he prayed this Court to make the necessary correction and issue a fresh copy of the amended order.

4. Considering the submissions made by the learned counsel for the petitioners, Registry is directed to make necessary corrections in the order dated 12.01.2026 and to issue a fresh copy of the amended order to the petitioner.

22.01.2026

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DP

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