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WP No. 1301 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 20-01-2026

CORAM

THE HON'BLE MR JUSTICE M.DHANDAPANI

WP No. 1301 of 2026

and

W.M.P Nos.1480, 1481 and 1483 of 2026

1. M.Vembumani
D/o. H.V.Muthusamy,
368, Keel Batchapettai,
Harur Post,
Dharmapuri 636 903
2. R.Sangeetha,
D/o. D.Rajaji,
No.138, Dheenatty Village, Masakal Post,
Nilgiris District - 643 217
3. R.Sowmiya,
W/o.Durai
No.1/22, Parayapattipudur Village and Post,
Pappireddipatti Taluk,
Dharmapuri 636 903



4. D.Gomathi,

D/o.Dhanasekar,

Kilpadi, Sathaputhur Post,

Kilpadi, Vanapuram Taluk,

Kallakurichi 606 205.

5. V.Shanmugapriya,

W/o.Sureshkumar,

No.146, Main Road, Pazhamalainathar Nagar,

Virudhachalam,

Cuddalore District 606 001.

6. P.Muthunila,

D/o. Ponnusamy,

No.140, S.Naraiyur,

Veppur Taluk,

Cuddalore District 606 301.

7. S.Manimegalai,

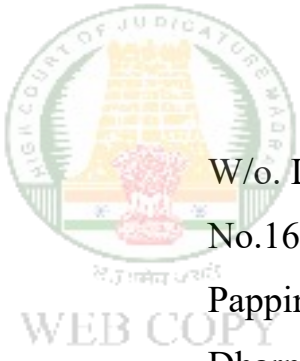
D/o. Sivaprakasam,

No.111, Athora Street, Harur Post Taluk,

Harur,

Dharmapuri 636 903

8. S.Latha,



W/o. Loganathan,
No.167/4, NagappattiJammanahalli
PappireddipattiTaluk,
Dharmapuri 636 904.

..Petitioner(s)

Vs

1. The Principal Secretary to Government,
Health and Family Welfare (L1) Department,
Fort St.George Chennai 600 009.
2. The Director,
Directorate of Medical and Rural Health
Services,
DMS Complex, Teynampet,
Chennai 600 006.
3. The Member Secretary,
Medical Service Recruitment Board,
Government of Tamilnadu,
7th Floor, DMS Building,
No.359, Anna Salai,
Teynampet, Chennai 600 006

..Respondent(s)



Writ Petition filed under Article 226 of Constitution of India, praying to issue a Writ of Certirarified Mandamus, to call for the records in connection with the impugned order passed by the 3rd respondent in Notification No.10/MRB/2023 (Corrigendum II) dated 24.11.2025 and CV Intimation No.10/MRB/2023 dated 03.01.2026 issued by the 3rd respondent and quash the same as illegal and further directing the 3rd respondent to evaluate the candidate of the Petitioners for the post Auxiliary Nurse Midwife / Village health nurse as per the procedure of selection stipulated in the notification of the respondent dated 11.10.2023 and consequently grant appointment to the petitioners if they are eligible.

For Petitioner(s): Mr.K.Kathiresan

For Respondent(s): Mr.K.Tippusulthan for R1

Government Advocate

Mr.S.J.Mohd. Sathik for R3

Government Advocate

ORDER

This writ petition has been filed challenging the impugned order passed by the 3rd respondent in Notification No.10/MRB/2023 (Corrigendum II) dated 24.11.2025 and CV Intimation No.10/MRB/2023 dated 03.01.2026 issued by the 3rd respondent and seeking to quash the same as illegal and further, directing the 3rd respondent to evaluate the candidature of the Petitioners for the



post Auxiliary Nurse Midwife / Village health nurse as per the procedure of selection stipulated in the notification of the respondent dated 11.10.2023 and consequently to grant appointment to the petitioners, if they are eligible.

2.The learned counsel for the petitioners would submit that the petitioners have completed SSLC and Higher Secondary education and have completed the two years Multi-purpose Health Workers (Female) Training Course/Auxiliary Nurse Midwifery Training Course in the academic year 2018 to 2020 at ERK Institute of Paramedical School Nursing ANM, Harur, Dharmapuri. The petitioners have received a notification from the Medical Services Requirement Board (MRB) regarding job vacancies in Auxiliary Nurse Midwife/Village Health Nurse, dated 11.10.2023. Subsequently, the 3rd respondent has issued a Corrigendum-II dated 24.11.2025, cancelling the earlier weightage marks provided in the original notification. The present Corrigendum awarded weightage marks only for the diploma and SSLC, while removing the weightage marks previously granted for Higher Secondary. Hence the present writ petition has been filed.

3.Per contra, the learned Government Advocate appearing for the respondents 1 & 2 would submit that the very same Corrigendum was



challenged before this Court in W.P No.731 of 2026, and the said writ petition was dismissed on 08.01.2026. Accordingly, he prayed for appropriate orders.

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

5. The issue involved in the present writ petition was already decided by this Court in W.P No.731 of 2026.

6. Considering the fact that the base qualification is SSLC for undergoing a Diploma course/Certificate Course and HSC is not mandatory for undergoing a Diploma course/Certificate Course and giving any weightage marks for HSC would be nothing but treating the persons unequally, viz., a person who has completed HSC and a person, who has completed only SSLC, though both have completed a Diploma course/ Certificate course, which otherwise would breed inequality, the Corrigendum-II had come to be issued in which the weightage marks, which was given for having HSC qualification at 30% was done away with by distributing the same between the Diploma course/Certificate course and SSLC at 10% and 20% respectively.



7. All persons, to do a Diploma/Certificate course, which is mandatory, have to complete SSLC (10th standard) and without undergoing HSC (12th Standard), Diploma/Certificate course could be undergone, to create a level playing field between the various persons, who are competing for the said post, and to treat everyone equally by giving weightage in equal proportion, the Corrigendum-II had come to be issued.

8. Further, one important aspect, which would also be necessary to be adverted while considering the decision making process which would have led to the doing away with HSC (12th Standard) is that while all individuals, who do SSLC undergo the same syllabus/curriculum in a particular Board, but when the individuals step into HSC (12th Standard), they undergo different syllabus/curriculum depending on the group, which is taken by the said individuals and obtaining marks in the respective groups cannot be treated equally, as persons in science stream would be guided by a different set of award of marks while persons in the accounts stream would be guided by a different set of award of marks and both cannot be correlated with each other nor could any normalisation or standardisation be adopted for standardising their marks. Therefore, giving weightage for the marks obtained in HSC (12th standard) would definitely breed inequality among persons, who have completed HSC (12th standard) because of differing syllabus/stream and award



of marks and, therefore, the said inequality would definitely have an adverse impact on the outcome, while computing the overall weightage.

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9. However, if the base is fixed at SSLC (10th standard) and persons are awarded weightage for the marks obtained by them in SSLC (10th standard) and, thereafter, for the Diploma/Certificate course done by them at 40% and 60% respectively, all the individuals would be equally placed as all persons would have completed both SSLC and Diploma/Certificate course for being considered for the said position and there would be no element of inequality while considering the two sets of persons and the consideration would be in complete consonance with the constitutional guarantee provided under Article 14, as the marks obtained in SSLC (10th standard) and Diploma/Certificate Course by all the individuals, on which weightage is given, would be the determining factor in deciding the overall seniority and merit of the candidates and there would be no perpetuation of inequality. Therefore, the corrigendum-II dated 24.11.2025 in and by which weightage of marks given to HSC was done away with cannot be found fault with as it provides a uniform, clear and rational method for determination of overall seniority on the basis of the merit of the individual on the basis of the weightage of marks obtained by them in SSLC (10th standard) and Diploma/Certificate course.



10. In the present case, the rule-making authority/appointing authority has prescribed the mode of selection and minimum qualification for recruitment and also the manner of selection and the ratio in the award of weightage of marks. Courts and tribunals can neither prescribe the qualifications nor entrench upon the power of the concerned authority so long as the qualifications prescribed by the employer is reasonably relevant and has a rational nexus with the functions and duties attached to the post and are not violative of any provision of Constitution, statute and Rules.

11. In the present case, the petitioners have not pleaded any irrationality or unreasonableness in the prescription made by the appointing authority/rule making authority. The grievance of the petitioners is only that what was initially available has been modified by the appointing authority/rule making authority by issuance of the corrigendum-II. The said act of modification of the manner in which selection would be made and weightage of marks would be awarded, so long as there is no perversity or unreasonableness pointed out by the petitioners, cannot be the matter of judicial intervention by this Court.

12. Merely because the petitioners have completed HSC (12th standard) and previously a portion of the percentage of marks was awarded to HSC certificate, the petitioners cannot plead that the same system should be followed. It is always within the realm of the appointing authority to decide on the pattern in which the selection would be made and marks would be awarded



and so long as there is no perversity, irrationality, arbitrariness and unreasonableness, the Courts shall not, under the guise of judicial review, visit the said selection process, which has been the consistent ratio laid down by the Courts, as evidenced through the decisions referred to supra. Therefore, considering all the aforesaid aspects, if the respondent has issued the above corrigendum-II, the same cannot be said to be perverse or arbitrary warranting interference at the hands of this Court.

13. For the reasons aforesaid, there are no merits in the writ petition and, accordingly, the same stands dismissed. However, the respondent is directed to communicate the outcome of the application submitted by the respective petitioners upon scrutiny for the knowledge of the petitioners and also to enable the petitioners to proceed in accordance with law. Consequently, connected miscellaneous petitions are closed. There shall be no order as to costs.

20-01-2026

Index: Yes/No

Speaking/Non-speaking order

Neutral Citation: Yes/No

UMA



To

1. The Principal Secretary to Government,
Health and Family Welfare (L1) Department,
Fort St.George Chennai 600 009.
2. The Director,
Directorate of Medical and Rural Health
Services,
DMS Complex, Teynampet,
Chennai 600 006.
3. The Member Secretary,
Medical Service Recruitment Board,
Government of Tamilnadu,
7th Floor, DMS Building,
No.359, Anna Salai,
Teynampet, Chennai 600 006



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M.DHANDAPANI, J.

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