



W.P. Nos.1863 & 1868/2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Reserved on	Pronounced on
21.01.2026	28.01.2026

CORAM

THE HONOURABLE MR. JUSTICE M.DHANDAPANI

W.P. NOS. 1863 & 1868 OF 2026

AND

W.M.P. NOS. 1957, 1960, 1961, 1966, 1967 & 1968 OF 2026

1. S.Arun
2. L.J.Paulays
3. Manikandan Sivasankaran
4. A.Mohamed Subair
5. Ashif Mohamed

.. Petitioners in WP 1863/2026

1. A.Parthiban
2. V.Inbakumar
3. K.Ramesh Kumar
4. J.Edraj
5. N.Perinbam
6. K.Sadam Hussian
7. M.Muniyasamy

.. Petitioners in WP 1868/2026

- Vs -

1. The State of Tamil Nadu
Rep. By its Prl. Secretary to Govt.
Health & Family Welfare Department
Secretariat, Fort St. George
Chennai 600 009.
2. The Director of Public Health &
Preventive Medicine



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DMS Compound, Anna Salai
Teynampet, Chennai 600 008.

3. The Medical Services Recruitment Board

Rep. By its Chairman

7th Floor, DMS Building

359, Anna Salai, Chennai 600 006.

.. Respondents in both petitions

Writ Petitions filed under Article 226 of the Constitution of India praying this Court to issue a writ of certiorarified mandamus to call for the records relating to the impugned provisional selection list issued by the 3rd respondent in PSL No.01/MRB/2026 dated 13.01.2026 and quash the same insofar as non-inclusion of the name of the petitioners is concerned and consequently directing the respondents to include the names of the petitioners in the provisional selection list for the post of Health Inspector Grade-II based on the marks secured by the petitioners in the selection, in application of rule of reservation and consequently select and appoint the petitioners to the post of Health Inspector Grade-II with all consequential benefits.

For Petitioners : Mr. G.Sankaran, SC for
M/s. S.Nedunchezhiyan

For Respondents : Mr. J.Ravindran, AAG,
Assisted by
Mr. K.Tippusulthan for For RR-1
& 2 & Mr. Mohd. Sathik for R-3



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COMMON ORDER

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Challenge through these writ petitions is made to the non-inclusion of the names of the petitioners in the provisional list for selection to the post of Health Inspector Grade-II on the ground that the diploma qualification of the petitioners is not equivalent to the qualification, which was advertised by the 3rd respondent.

2. It is the case of the petitioners that pursuant to the advertisement issued by the 3rd respondent for selection to the post of Health Inspector Grade-II in the Tamil Nadu Public Health Subordinate Service vide notification dated 27.10.2025 the petitioners submitted their candidature and they were shortlisted for certificate verification based on the marks secured by them in the written examination. However, to their shock and surprise, the names of the petitioners were not included in the provisional selection list published by the 3rd respondent on 13.01.2026, whereas the candidates, who secured lesser marks than the petitioners have been than the petitioners have been included in the provisional list. Aggrieved by the non-inclusion of their names in the provisional selection list, the present petitions have been filed by the petitioners.



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3. Learned senior counsel appearing for the petitioners submitted that the impugned provisional selection issued by the 3rd respondent dated 13.1.2026 is ex facie arbitrary, illegal and against law and the same is liable to be quashed.

4. It is the further submission of the learned senior counsel that one of the qualification criteria fixed in the advertisement is Health Inspector Course Certificate offered by the Government of Tamil Nadu. The petitioners have qualified themselves with a one year PG Diploma in Sanitary Inspector course offered by the Madurai Kamaraj University, which is an eligible qualification for the said post as notified in G.O. Ms. No.45 dated 19.4.2022, which declares the equivalence of P.G. Diploma in Environmental Sanitation Science (for short PG-ESS') offered by Madurai Kamaraj University as equivalent to Sanity Inspector Certificate Course conducted by the Government of Tamil Nadu.

5. It is the further submission of the learned senior counsel that the aforesaid course offered by the University, which was previously offered for one year, was renamed as PG Diploma in Sanitary Inspectors Course (for short 'PG-SI') for a period of one year from the academic year 2018-2019. It is further submitted by the learned senior counsel that there is no change in syllabus,



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course content, curriculum, etc., and the change in nomenclature was made and approved only to avoid confusion with regard to eligibility of the said PG diploma course.

6. It is the submission of the learned senior counsel that when the PG-ESS has been declared as equivalent to the Sanitary Inspector course offered by the Government of Tamil Nadu, as notified in G.O. Ms. No.45 dated 19.4.2022, the change in nomenclature, without there being any change in the syllabus will not take away the eligibility of the candidates, who have completed PG-SI course from the year 2018-2019. It is therefore the submission of the learned senior counsel that the candidates, who have secured the very same qualification by studying the very same syllabus, cannot be deprived of selection merely based on the change of name of the course, when the syllabus remains intact with no change in the curriculum or its contents.

7. In this backdrop, learned senior counsel, pointing out to G.O. Ms. No.443 dated 14.10.2025 and G.O. Ms. No.338 dated 2.8.2019, in and by which equivalence certificate has been given to PG-EES course to be considered on par with the one year Sanitary Inspector Certificate Course conducted by the



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Government, what is to be seen by the respondents herein is that whether the syllabus prescribed by the Director of Preventive Health is one and same and the change in the name/nomenclature of the course offered cannot be the determinative criteria for holding a course to be equivalent to the Sanitary Inspector Certificate Course conducted by the Government.

8. It is the further submission of the learned senior counsel that the very same course, under a different name has been held to be equivalent to the certificate course offered by the Government for which equivalence was also granted, the petitioners also having studied the same course, but named differently, though the syllabus being one and the same, their candidature cannot be withheld under the guise of equivalence having not been granted by the appropriate Equivalence Committee.

9. In this regard, learned senior counsel placed reliance on G.O. Ms. No.338 dated 2.8.2019 in and by which the Government had clearly prescribed that the syllabus followed in institutions which impart the said courses should be equivalent to the syllabus prescribed by the Director of Public Health and Preventive Medicine and in this regard, the letter of the Director of Public Health



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and Preventive Medicine dated 16.8.2019, has clearly stated that the course contents and syllabus of PG-ESS conducted by Madurai Kamaraj University is similar to the syllabus prescribed for the certificate course conducted by the Government. The statement of marks annexed by the petitioners would clearly reveal that the syllabus is the very same syllabus which was held to be similar vide the letter of the Director of Public Health and Preventive Medicine dated 16.8.2019 and, therefore, the change in nomenclature of the name of the course cannot be a ground to negate the candidature of the petitioners, when they have not only completed the course, but have secured higher position than the persons, who have been shown to have been provisionally selected in the communal category and, therefore, necessarily, this Court has to interfere in the said provisional selection by setting aside the same and ordering publication of fresh provisional selection by including the names of the petitioners also in the zone of consideration. Accordingly, he prays for allowing the present writ petitions.

10. In support of the aforesaid submissions, learned senior counsel for the petitioners placed reliance on the following decisions :-

- i) *Chandrakala Trivedi – Vs – State of Rajasthan & Ors. (2012 (3) SCC 129);*



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ii) *Ms. S.Padmavathi & Ors. – Vs – State of Tamil Nadu (W.P. Nos.35061/2012, etc. – Dated 21.02.2013)*

11. Per contra, learned Addl. Advocate General, placing reliance on the counter affidavit filed by the 2nd respondent, submitted that Clause 6-B of the Notification clearly prescribes the educational qualification for the said post, viz., possession of two years multipurpose Health Worker (Male)/Health Inspector/Sanitary Inspector Course Certificate granted by the Director of Public Health and Preventive Medicine and the relaxation ordered in G.O. (Ms) No.338 dated 2.8.2019 and G.O. (Ms.) No.443 dated 12.10.2025 granting one time relaxation would apply only to candidates who have passed one year certificate courses from those University/Institution which received equivalence for the courses/certificates offered from the Government.

12. It is the submission of the learned Addl. Advocate General that equivalence has been granted only in respect of PG-ESS certificate course and no equivalence has been granted to the PG-SI certificate course and, therefore, the petitioners cannot claim equivalence of the said certificate for consideration of their candidature for the notified posts.



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13. It is the further submission of the learned Addl. Advocate General that the equivalence certificate offered by the Government vide G.O. Ms. No.45 is only relatable to the PG-ESS course offered by WASH Institute of Madurai Kamaraj University and it is not in respect of PG-SI certificate course. When there is no equivalence certificate granted by the Government, the petitioners, as a matter of right, on the basis of an earlier Government Order, which is not relatable to the present course studied by the petitioners, claim equivalence of the said course with the certificate course offered by the Government.

14. It is the further submission of the learned Addl. Advocate General that the equivalence granted under G.O. Ms. No.45 dated 19.4.2022 is very limited in its scope and cannot be relied upon by candidates, who have obtained PG-SI course certificate, which the said course has not been held to be equivalent to the Government certified course certificate. It is further submitted by the learned Addl. Advocate General that the equivalence order was issued only on 19.4.2022 and if the institutions had renamed or aligned their courses as early as in 2018-2019, they could have approached the Government and obtained necessary equivalence at the relevant point of time and inaction on the part of the University to obtain such equivalence certificate, the petitioners cannot claim



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parity between the two courses offered by the University, though they claim that the syllabus are one and the same and claim such parity as a matter of right.

15. It is therefore the submission of the learned Addl. Advocate General that the petitioners do not fulfil the necessary mandatory qualification prescribed in the notification as mandated under clause 6-B and they have also not produced any equivalence certificate issued by the Government for the purpose of considering their candidature for the post of Health Inspector Grade-II and, therefore, the 3rd respondent has rightly rejected to include their name in the provisional selection list dated 13.01.2026 and the said provisional list prepared and published is strictly in accordance with the notification in which the eligibility conditions, merit ranking and communal reservation policy and, therefore, no interference is warranted with the said provisional list published and, accordingly, sought for dismissal of the writ petitions.

16. This Court gave its careful consideration to the submissions advanced by the learned counsel appearing on either side and perused the materials available on record.



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17. The meaning of the term “*equivalent*” fell for consideration of this Court in **W.P. No.35061/2012, etc.,** and this Court, vide order dated 21.02.2013 had held as under :-

*“18. Once the prospectus issued by the TRB state that the person should possess a particular degree or equivalent means, it is not the exact degree that is required and there may be cases, where any equivalent degree can also be considered by the appropriate authorities. The word 'equivalent' must be given a reasonable meaning. In this context, in an identical circumstances, the Supreme Court, in **Chandrakala Trivedi vs, State of Rajasthan and others,** reported in (2012) 3 SCC 129, in paragraphs 8 and 9, had observed as follows:-*

“8.. The word 'equivalent' must be given a reasonable meaning. By using the expression “equivalent” one means that there are some degrees of flexibility or adjustment which do not lower the stated requirement. There has to be some difference between what is equivalent and what is exact. Apart from that, after a person is provisionally selected, a certain degree of reasonable expectation of the selection being continued also comes into existence.”

18. From the above, it is clear that the question of “*equivalence*” depends on the facts and circumstances of each case and it is only the reasonableness, which guides the Court as also the other authorities or for that matter the



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Committee which determines the issue of equivalence. To put it shortly, it is a prudent mind at work, which segregates the wheat from the chaff while determining the issue and as held in the aforesaid decision, equivalence is different from exact and both operate differently.

19. Before proceeding to analyse the merits of the issue relating to the equivalency or otherwise of the certificate produced by the petitioners, which has hitherto fore been rejected, it is necessary to look at the qualification prescribed under Clause 6-B of the Notification dated 27.10.2025 and also G.O. Ms. Nos.338, 45 and 443 dated 02.08.2019, 19.04.2022 and 14.10.2025 respectively, which have a bearing on the manner of appreciating the certificates produced by the petitioners and the equivalency of the certificate thereof to the qualification prescribed in the Notification dated 27.10.2025.

20. Clause 6-B of the Notification dated 27.10.2025 prescribes the educational qualification for being considered for the notified post and for reference, the same is quoted hereunder :-

“6B. Educational Qualification :

*Candidate shall possess the following qualification as per
G.O. (Ms) No.104, Health and Family Welfare (L1) Department,*



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dated 28.03.2023 on the date of this notification viz., 27.10.2025.

- I. Must have passed plus two with Biology or Botany and Zoology.*
- II. Must have passed Tamil Language as a subject in S.S.L.C. Level.*
- III. Must possess Two years Multipurpose Health Worker (Male) / Health Inspector / Sanitary Inspector Course Certificate granted by the Director of Public Health and Preventive Medicine.*

“Provided that those who possess the one year Multipurpose Health Worker (Male) training course certificate granted by the Director of Public Health and Preventive Medicine conducted in the Government training Centre or Institutions approved by the Director of Public Health and Preventive Medicine, prior to the introduction of the two years Multipurpose Health Worker (Male) / Health Inspector / Sanitary Inspector Course Certificate granted by the Director of Public Health and Preventive Medicine, are also eligible for appointment to the said post.”

As per one time measure relaxation ordered in G.O. (Ms.) No.443, Health and Family Welfare (L1) Department dated : 14.10.2025 all eligible applicants who have passed one year course certificate (Must possess one year Multipurpose Health Worker (Male) course / Sanitary Inspector Course in University affiliated / Government recognized institutions. The syllabus followed in such institutions should be equivalent to the syllabus prescribed by the Director of Public Health and



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Preventive Medicine vide G.O (Ms.) No.338, Health and Family Welfare (L1) Department, Dated : 02.08.2019) from those University / Institute which received equivalent certificate so as to participate in the recruitment process as one time measure as per G.O. (Ms.) No.338, Health and Family Welfare (L1) Department, Dated : 02.08.2019.”

(Emphasis Supplied)

21. From the above, it is imperatively evident that possession of two years Multipurpose Health Worker (Male) / Health Inspector / Sanitary Inspector Course Certificate granted by the Director of Public Health and Preventive Medicine or from such affiliated University / Institute recognized by the Government is mandatory, but, however, relaxation has been granted to the extent that if any person possesses the one year Multipurpose Health Worker (Male) training course certificate granted by the Director of Public Health and Preventive Medicine conducted by the Government Training Centre or Institutions approved by the Director of Public Health and Preventive Medicine prior to introduction of the two years course certificate, they would also be eligible, so long as the syllabus followed in such institutions is equivalent to the syllabus prescribed by the Director of Public Health and Preventive Medicine.



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22. Therefore, the main prescription that the persons, who applies should be possessed of the two year certificate course with a relaxation as granted in G.O. Ms. No.443 dated 14.10.2025 for persons who have completed one year certificate course from the university affiliated/Government recognised institutions so long as the syllabus followed is equivalent to the syllabus prescribed by the Director of Public Health and Preventive Medicine.

23. G.O. (Ms.) No.443 dated 14.10.2025 provides the relaxation in respect of persons, who have completed one year certificate course and the same is quoted hereunder :-

“8. In order to comply with the orders of the Hon'ble High Court of Madras passed in W.A.No.987 of 2023, the Director of Public Health and Preventive Medicine, Chennai has requested the Government to relax rule 5(b) of the Adhoc Rules governing the post of Health Inspector Grade-II in Tamil Nadu Public Health Subordinate Service to all eligible applicants who have passed one year course certificate [University / Institute received equivalent certificate] to participate in the recruitment process as one time measure as done in G.O (Ms) No.338, Health and Family Welfare (LI) Department, dated 02.08.2019 and age relaxation in respect of the all applied eligible OC candidates as there is no age restrictions for the candidates belonging to SC/ST/SCA, BC/BCM/MBC & DNC.



* * * * *

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10. *The Government have examined the proposal of the Chairman, Medical Services Recruitment Board and the Director of Public Health and Preventive Medicine, Chennai and in the light of the orders passed by the Hon'ble High Court of Madras dated 15.4.2025 decided to comply with the orders of the Hon'ble Court. The Government accordingly, do and hereby direct that the rule 5(b) of the Adhoc Rules governing the post of Health Inspector Grade-II to all eligible applicants who have passed one year course certificate from those University / Institute which received equivalent certificate so as to participate in the recruitment process as one time measure as done in vide G.O.(Ms) No.338, Health and Family Welfare (LI) Department, dated 02.08.2019 and rule 5(a) of the above said Adhoc Rules (relating to age) in respect of all applied eligible OC candidates as a one-time measure (i.e. no age restrictions), be relaxed in exercise of powers conferred under Section 58 of the Tamil Nadu Government Servants (Conditions of Service) Act, 2016. Necessary permission to the Medical Services Recruitment Board is hereby accorded to include the above said relaxation in the Notification for filling up of the post of Health Inspector Grade II."*

24. From the above relaxation, which has been given under Rule 5 (b) of the Adhoc Rules, the University/Institute, which received equivalent certificate in respect of the courses, conducted by them, such of the candidates, who have



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completed one year certificate course in the said University/Institute, were permitted to participate in the recruitment process.

25. Therefore, persons, who have completed the one year certificate course from the University/Institute recognised and which have received equivalent certificate in respect of the courses and which carries the very same syllabus as prescribed by the Director of Public Health and Preventive Medicine, such persons are granted relaxation and are permitted to participate in the recruitment process.

26. Way back in the year 2019, G.O. (Ms.) No.338 dated 2.8.2019 came to be passed in and by which the aforesaid relaxation was granted for filling up 334 posts, which was based on the recommendations of the Director of Public Health & Preventive Medicine, wherein, there is a clear prescription that for the purpose of consideration of the course conducted by the University/Institute to be equivalent to the certificate course conducted by the Government, the syllabus followed in such institutions should be equivalent to the syllabus prescribed by the Director of Public Health and Preventive Medicine. For better appreciation, the relevant portion of the Government Order is quoted hereunder :-



“4. The Government have examined the proposal of the Director of Public Health and Preventive Medicine in detail and decided to permit him to fill up the vacancy of 334 posts Multi Purpose Health Worker (Male) (Health Inspector Grade-II) as identified in the Government Order second read above by giving one time relaxation of the rule 5(b) of adhoc rule for the above said post through the Medical Service Recruitment Board. The Government accordingly do and hereby direct that the Director of Public Health and Preventive Medicine be permitted to fill up the 334 posts of Multi Purpose Health Worker (Male) (Health Inspector Grade-II) which are vacant at present based on the norms fixed in the Government Order second read above by giving one time relaxation of the rule 5(b) of adhoc rule for the above said post through the Medical Service Recruitment Board with the candidates who fulfilled the following qualifications:

- i. Must have passed plus two with Biology or Botany and Zoology.*
- ii. Must have passed Tamil Language as a subject in SSLC level.*
- iii. Must possess one year Multi Purpose Health Worker (Male) Course/ Sanitary Inspector Course in University affiliated / Government recognised institutions. The syllabus followed in such institutions should be equivalent to the syllabus prescribed by the Director of Public Health and Preventive Medicine.”*



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27. It is to be noted that pursuant to this Government Order, the 334 posts for which permission for filling up was sought for, could not be filled up due to the outbreak of the COVID-19 pandemic and, therefore, in the year 2023, a fresh proposal had emanated from the Director of Public Health and Preventive Medicine to fill-up 1066 posts, which included the 334 vacancies, for which relaxation was ordered in G.O. (Ms.) No.338. Thus, the relaxation, which was granted in G.O. (Ms.) No.338 had been taken through to G.O. (Ms.) No.443 as well, but for a higher number of posts.

28. In this scenario, a careful perusal of G.O. (Ms.) No.443, more particularly the portion, which have been extracted supra, there is a clear specification in the said Government Order that applicants, who have passed one year course certificate from those University/Institute which received equivalent certificate so as to participate in the recruitment process are allowed a one-time concession to participate in the present recruitment process. But there is a clear mention that the present G.O. (Ms.) No.443 is an extension of G.O. (Ms.) No.338 and, therefore, both the aforesaid Government Orders should be read together and G.O. (Ms.) No.443 should not be read in isolation, as is pointed out by the learned Addl. Advocate General appearing for the respondents, as it would



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otherwise defeat the benevolent purpose for which G.O. (Ms.) No.338 was issued and further G.O. (Ms.) No.443 is a continuation of G.O. (Ms.) No.338.

29. Reading both the Government Orders together, it would be evident that the one year course, which was available then for which equivalence has been accorded and which carries the equivalent syllabus as prescribed by the Director of Public Health and Preventive Medicine would be considered as a fulfilling qualification for the purpose of consideration of the candidature of a candidate for applying to the aforesaid notified post. From the above, for the purpose of a course to be equivalent, the necessary condition to be met is that the syllabus should be equivalent to the one prescribed by the Director of Public Health and Preventive Medicine. Therefore, nomenclature of the course is not the necessary criteria; rather it is the syllabus of the course that would take primacy when considering its equivalency to the certificate course offered by the Government.

30. In this backdrop, the communication of the Director of Public Health and Preventive Medicine dated 16.08.2019 assumes significance in which a comparison has been made between the one year courses offered by WASH



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Institute under Madurai Kamaraj University and Gandhigram Rural Institute have been compared and the course contents and the syllabus adopted by the said institutes have been held to be similar. The said letter is not disputed by the respondents.

31. G.O. (Ms.) No.45 dated 19.4.2022 had come to be passed in which the equivalence of the course in PG-ESS offered by WASH Institute affiliated to Madurai Kamaraj University has been held to be equivalent qualification for the post of Sanitary and Health Inspector.

32. A careful perusal of the aforesaid Government Orders and the communication of the Director of Public Health and Preventive Medicine narrows the area of consideration for this Court which zeros down to the syllabus that is offered by the WASH Institute affiliated to Madurai Kamaraj University from which the petitioners have completed the one year course in April, 2022, which alone would be the determinative factor, as G.O. (Ms.) No.338 only stipulates that the syllabus prescribed by the Director of Public Health and Preventive Medicine should be adopted by the institutes/University, which teaches the said course and equivalency for the said course is granted only based on the syllabus.



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33. At the risk of repetition, it is to be pointed out that the syllabus of the course taught by WASH Institute affiliated to Madurai Kamaraj University in which the petitioners have obtained the certificate has been held to be similar to the syllabus prescribed by the Director of Public Health and Preventive Medicine. However, at the point of time when the equivalence of the course of WASH Institute was considered, the name of the course was PG-ESS, which was in the year 2019. However, consideration, even at that point of time, was on the basis of the syllabus taught. Thereafter, the course was renamed as PG-SI but, according to the petitioners, the syllabus is one and the same and has not been changed. To substantiate the aforesaid stand, the petitioners have placed their mark sheets which spell out the courses that have been undergone by the petitioners. A perusal of the same reveals that the syllabus which is adopted in PG-SI is one and the same as the syllabus in PG-ESS, in addition to other additional content.

34. In this regard, adverting to the communication of the Director of Public Health and Preventive Medicine dated 16.08.2019, in which the syllabus comparison between the course offered by the Government and the course



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offered by WASH Institute affiliated to Madurai Kamaraj University, the said authority, who is the 2nd respondent herein, has opined that the syllabus and contents are similar in the course offered by WASH Institute is similar. The details of the contents and syllabus are spelt out therein and even a cursory perusal of the same reveals that the syllabus in PG-SI, which has been underwent by the petitioners is identical to the syllabus in PG-ESS, which syllabus was held to be similar to the syllabus prescribed by the 2nd respondent for which equivalence certificate was offered by the authority.

35. It is not the case of the respondents that the syllabus underwent by the petitioners is not equivalent or identical to the syllabus, which has been approved to be identical by the 2nd respondent vide its communication dated 16.08.2019. The ground on which the certificate is claimed to be not acceptable is on account of PG-SI course, differently named since its equivalence was adjudged, as having not been held to be equivalent to the course offered by the Government as prescribed in G.O. (Ms.) No.443.

36. As held in the decision in W.P. No.35061/2012, etc., which has been extracted above, the term “*equivalence*” has to be given a reasonable



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interpretation in the light of the various Government Orders issued and when PG-ESS has been held to be equivalent to the Government certified course, syllabus-wise, the mere fact that the name of the course has been changed since the year 2019, would not cloud the certificate issued under a different course name, viz., PG-SI to be not equivalent to the Government Certificate course though the syllabus of PG-SI course is as one prescribed by the Director of Public Health and Preventive Medicine. The above view of this Court is fortified by the decision of the Division Bench of this Court in the case of ***K.Natrayan & Ors. – Vs – G.Rajalingam & Ors. (W.A. Nos.2641/2022, etc. – Dated 18.12.2025)***.

37. As already held by this Court, G.O. (Ms.) No.443 is a continuation of G.O. (Ms.) No.338 and conjunctively reading both the Government Orders, it is crystal clear that syllabus takes primacy and that being the case, in the absence of any dispute with regard to the syllabus and the contents of the syllabus underwent by the petitioners in PG-SI course, in comparison with PG-ESS course, it could be held with all certainty that PG-ESS and PG-SI are one and the same, except for the change in the name of the course. As already held above, the nomenclature/name of the course not being the determining factor and equivalency having already been granted to PG-ESS and the 2nd respondent



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having held that the syllabus offered in the PG-ESS course is similar to the Government certified course, PG-SI and PG-ESS courses having been held to be one and the same, it could, without an iota of dispute, be held that PG-ESS and PG-SI course are similar and, therefore, equivalence certificate already granted to PG-ESS course vide G.O. (Ms.) No.45 dated 19.04.2022, would get transposed to PG-SI course as well and PG-SI course would have to be held to be equivalent to the Government certificate course and necessarily, the relaxation granted vide G.O. (Ms.) No.338, which has been carried on in G.O. (Ms.) No.443 as an one-time measure with respect to the one year course would enure to the benefit of the petitioners and, therefore, their candidature will have to be affirmatively considered by the 3rd respondent by including their names in the provisional selection, if otherwise their candidature is in order and they satisfy the other conditions prescribed in the notification.

38. For the reasons aforesaid, both the writ petitions are allowed with the following directions :-

- i) The 3rd respondent is directed to draw a fresh provisional list by including the names of the petitioners in the order of their merit and based*



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*adhering to the communal reservation and publish
fresh provisional list forthwith;*

*ii) Upon inclusion of the names of the petitioners in the
fresh provision list in order of their merit and adhering
to the communal reservation, the 3rd respondent is
directed to proceed with the further selection process
in accordance with law.*

*iii) Consequently, connected miscellaneous petitions are
closed. There shall be no order as to costs.*

28.01.2026

Index : Yes / No

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To

1. The Principal Secretary to Govt.
Health & Family Welfare Department
Government of Tamil Nadu
Secretariat, Fort St. George
Chennai 600 009.
2. The Director of Public Health &
Preventive Medicine
DMS Compound, Anna Salai
Teynampet, Chennai 600 008.
3. The Chairman
Medical Services Recruitment Board
7th Floor, DMS Building
359, Anna Salai, Chennai 600 006.



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M.DHANDAPANI, J.

GLN

**PRE-DELIVERY ORDER IN
W.P. NOS.1863 & 1868 OF 2026**

**Pronounced on
28.01.2026**