



W.P.(MD) No.1849 of 2026

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 04.03.2026

CORAM:

THE HONOURABLE MR.JUSTICE MUMMINENI SUDHEER KUMAR

W.P.(MD) No.1849 of 2026
and
W.M.P.(MD) No.1461 of 2026

Sakthi Prasath

... Petitioner

-VS-

1.The Medical Service
Recruitment Board
rep.by its Member Secretary
Directorate of Medical Service Campus
No.359, Anna Salai, Chennai

2.The Director
Directorate of Medical Service Campus
No.359, Anna Salai, Chennai

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a writ of mandamus directing the respondents to award 2 marks as per class 7(b) of notification No.16/MRB/2025 dated 27.10.2025 and consider petitioner for the appointment of Health Inspector Grade-II under MBC/DNC Category for the year 2025.



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For Petitioner : Mr.M.Ramu

For Respondents : Ms.P.Yasmin Begum
Standing Counsel for R1
Mr.M.Ajmal Khan
Additional Advocate General
assisted by Mr.B.Ramanathan
Additional Government Pleader for R2

ORDER

The petitioner herein is one of the candidates, who participated in the recruitment process for filling up the post of Health Inspector Grade II, vide notification No.16/MRB/2025, dated 27.10.2025, issued by the first respondent. The petitioner herein, having participated in the recruitment process, secured 71 marks out of 100. Then, he was also called for certificate verification on 06.01.2026. After completing the process of certificate verification, a provisional selection list was issued selecting the candidates who secured up to 73 marks in MBC/DNC category. As the petitioner failed to secure the cut off mark and he secured only 71 marks, he was not selected provisionally. Under those circumstances, the petitioner has approached this Court by filing the present writ petition seeking a writ of mandamus directing the respondents herein to award two marks as incentive marks as per Clause



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7(b) of the recruitment notification dated 27.10.2025 and to consider his case for appointment to the post of Health Inspector Grade II under the said recruitment notification.

2. Learned counsel for the petitioner contended that in terms of the Government Order in G.O.(Ms) No.299, Health and Family Welfare (L1) Department, dated 12.09.2023, the persons, who have served as Health Inspector Grade II during covid-19 pandemic period in the Government Medical Institutions and otherwise qualified in the Tamil Eligibility Test in addition to the marks obtained by them in the examination conducted by Medical Services Recruitment Board for the post of Health Inspector Grade II, are entitled for the incentive marks depending upon the period of service rendered by them. According to the petitioner, he served for more than six months as Health Inspector Grade II in Chennai Corporation and in support of the same, he also produced a copy of the Covid Duty Certificate issued by the competent officer evidencing that he has served from 19.05.2020 to 12.12.2020 in the Greater Chennai Corporation Zone-4 Division-45 with pay of Rs.15,000/- per month during Covid-19 pandemic. Thus, the petitioner claims that he is entitled for awarding of two marks as incentive marks for having served in the covid-19 pandemic period in terms of the Government



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Order in G.O.(Ms) No.299, Health and Family Welfare (L1) Department, dated 12.09.2023. Learned counsel for the petitioner also placed reliance on the decision of the Honourable Division Bench of this Court in W.P.Nos.25827 of 2023 and batch, dated 16.11.2023, in support of his contentions.

3. On the other hand, Mr.M.Ajmal Khan, learned Additional Advocate General appearing for the second respondent contended that the benefit of incentive marks that is sought to be extended under the Government Order in G.O.(Ms) No.299, Health and Family Welfare (L1) Department, dated 12.09.2023, is only in favour of the candidates who have served as Health Inspector Grade II during covid-19 pandemic period, in the event of they participating in the recruitment process conducted by Medical Services Recruitment Board, but not in favour of the other candidates, like the petitioner herein. He further contended that the petitioner herein was not even eligible for being appointed on temporary basis as Health Inspector Grade II during covid-19 pandemic, as he was only pursuing his Health Inspector course and only as a part of his curriculum, he did his internship during the covid-19 pandemic in the Greater Chennai Corporation. He further contended that the Covid Duty Certificate produced by the petitioner was erroneously issued by the authority concerned, as, though the petitioner served as Health



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Inspector Grade II, but as a matter of fact, he only served as Health Inspector Trainee during the covid-19 pandemic. He also further submitted that the decision of the Honourable Division Bench of this Court relied upon by the learned counsel for the petitioner has no application to the facts of the case on hand, as in the said case, the candidates were having the requisite qualification for being appointed as Assistant Surgeons / Medical Officers and therefore, under those facts and circumstance, the Division Bench held that the petitioners therein were entitled for incentive marks on par with the other candidates in terms of the Government Order in G.O.(Ms.) No.278, Health and Family Welfare (B1) Department, dated 17.08.2023.

4. This Court has carefully considered the submissions on either side and perused the entire materials available on record.

5. A perusal of the Government Order in G.O.(Ms) No.299, Health and Family Welfare (L1) Department, dated 12.09.2023, in specific, Paragraph Nos.2 and 8 of the said Government Order, would make it clear that the benefit of incentive marks intended to be extended under the State Government Order to the candidates who were engaged during covid-19 pandemic period and were served as Health Inspectors during the covid-19



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6. Further, from the another proceedings bearing R.No. 23915/Trg/S4/2020, dated 18.05.2020, issued by the Director of Public Health and Preventive Medicine, Chennai, it is also evident that the petitioner herein and others were deputed along with Health Inspector Faculty of the Institute for covid-19 surveillance activities in Greater Chennai Corporation, while they were pursuing their second year course. From the said proceedings, it is evident that the petitioner had not completed his Health Inspector course by the time when he was deputed to the Greater Chennai Corporation for covid-19 surveillance activities and admittedly, he has completed the said course only thereafter. It is also not in dispute that the period that was served by the petitioner in the Greater Chennai Corporation during the covid-19 pandemic as a part of his curriculum is only the internship training period and not otherwise. Therefore, it cannot be said that



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the petitioner has rendered his service as Health Inspector during the covid-19 pandemic period so as to be eligible for claiming the benefit under the Government Order in G.O.(Ms) No.299, Health and Family Welfare (L1) Department, dated 12.09.2023. In the said circumstances, this Court is of the considered view that the petitioner herein only being a Trainee at the relevant point of time having not possessed the requisite qualification for holding the post of Health Inspector Grade II cannot claim the benefit of the Government Order in G.O.(Ms) No.299, Health and Family Welfare (L1) Department, dated 12.09.2023.

7. Insofar as the decision relied upon by the learned counsel for the petitioner i.e., decision of the Honourable Division Bench of this Court in W.P.Nos.25827of 2023 and batch, dated 16.11.2023, is concerned, as rightly pointed out by the learned Additional Advocate General, the Honourable Division Bench, upon considering the facts and circumstances of that case, held that the petitioners, being registered medical practitioners, were eligible for appointment as Assistant Surgeons / Medical Officers. Therefore, the said decision cannot be applied to the facts and circumstances of the present case



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8. For the foregoing reasons, this Court finds no merit in this writ petition. Accordingly, this writ petition is dismissed. No costs. Consequently, connected miscellaneous petition is closed.

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NCC : Yes / No
Index : Yes / No
Internet : Yes / No

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To:
The Director,
Directorate of Medical Service Campus,
No.359, Anna Salai, Chennai.



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MUMMINENI SUDHEER KUMAR, J.

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