



W.A.(MD)No.237 of 2026

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **02.03.2026**

CORAM:

THE HONOURABLE **MR.JUSTICE N.SATHISH KUMAR**
AND
THE HONOURABLE **MR.JUSTICE M.JOTHIRAMAN**

W.A.(MD)No.237 of 2026

M.Muthukumar

...Appellant

Vs.

- 1.State of Tamil Nadu represented by
The Additional Chief Secretary to Government,
Health and Family Welfare Department (C2),
Secretariat, Fort St., George,
Chennai-600 009.
- 2.The Medical Services Recruitment Board,
Represented by the Member Secretary,
The Medical Services Recruitment Board,
7th Floor, DMS Building,
359, Anna Salai, Teynampet,
Chennai-600 006.
- 3.The Directorate of Medical Education,
Represented by the Director,
The Directorate of Medical Education,
162, Periyar E.V.R.High Road,
Kilpauk, Chennai- 600 010.
- 4.The Director of Medical and Rural Health Services,
DMS Building, 359-Anna Salai,
Tenampet, Chennai-600 006.



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5.The Director of Medical and Rural Health
Services (ESI),
DMS Building, 359, Anna Salai,
Teynampet,
Chennai-600 006.

...Respondents

PRAYER:- Writ Appeal – filed under Clause 15 of the Letters Patent, to set aside the order passed in W.P.(MD)No.20104 of 2024 dated 13.08.2025 on the file of this Court.

For Appellants : Mr.A.Anbumankandantamilsooriyan
For Respondents : Mr.D.Sasikumar (R1 & R3 to R5)
Additional Government Pleader
Mr.V.Ramesh (R2)

JUDGMENT

(Judgment of the Court was delivered by **N.SATHISH KUMAR, J.**)

The instant writ appeal is filed challenging the order passed by this Court in W.P.(MD)No.20104 of 2024 dated 13.08.2025.

2.According to the writ petitioner, he has completed Diploma in Radio Diagnosis Technology in the year 2014 and registered his name in the employment exchange as early as on 20.08.2014 and applied for direct recruitment to the post of Radiographer. Based on the notification dated 04.10.2017, the writ petitioner appeared for certificate verification.



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Thereafter, the provisional list was issued, however, the name of the writ petitioner was not found place.

3. The contention of the petitioner is that the selection process ought to have been conducted on the basis of employment exchange seniority and not on the basis of weightage of marks. According to the petitioner, if the employment seniority had been taken into consideration for appointment to the post of Radiographer, he would have been selected. However, since weightage marks were taken into account, his candidature was rejected. The petitioner further contends that the learned Single Judge without considering this aspect, dismissed the writ petition

4. We have perused the entire materials.

5. Though the Government has issued G.O.Ms.No.36, dated 12.02.2014 to take into consideration the employment exchange seniority, subsequently, G.O.Ms.No.401, Health and Family Welfare Department, dated 16.12.2014 has been issued to adopt weightage method for the recruitment through medical service recruitment board. G.O.Ms.No.401 was issued only based on the directions of this Court.



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6. In the case on hand, the said Government Order has been taken into consideration and the candidates were selected based on the marks secured by them under the weightage method. Since the writ petitioner has obtained lesser marks than the selected candidates, her candidature was rejected.

7. The petitioner having admittedly, secured lesser mark than the selected candidates, as a matter of right cannot seek for appointment on the basis of the old Government Order, which was superseded by the subsequent Government Order. Having considered all these aspects, the learned Single Judge has rightly dismissed the writ petition. We do not find any merits in this writ appeal.

8. Accordingly, this writ appeal is dismissed. There shall be no order as to costs.

[N.S.K., J.] & [M.J.R., J.]
02.03.2026

Index : Yes/No
Internet : Yes
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