



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 09-04-2026

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THE HON'BLE MS. JUSTICE P.T. ASHA

W.P. No. 13150 of 2026

and W.M.P.No.14409 of 2026

Dr.B.Bharathi
Daughter of S.Balusamy
28 Pattakkarar Pudhur
Kangayam
Tiruppur District 638701.

..Petitioner(s)

Vs

1. The Chairman
Medical Services Recruitment Board
7th Floor, DMS Building
359 Anna Salai, Teynampet
Chennai 600006.
2. The Member Secretary
Medical Services Recruitment Board
7th Floor, DMS Building
359 Anna Salai, Teynampet
Chennai 600006.
3. The Director Of Public Health And Preventive
Medicine
DMS Building
359 Anna Salai, Teynampet
Chennai 600006.

..Respondent(s)



PRAYER: The Writ Petition is filed under Article 226 of the Constitution of India for the issuance of a Writ of Mandamus directing the 1st respondent to include the name of the petitioner in the Provisional Selection List of candidates published vide PSL.No.05/MRB/2026 dated 05.03.2026 to the post of Assistant Surgeon(General) with Specialty Qualification in Obstetrics and Gynecology for Direct Recruitment in Tamil Nadu Medical Services upon submission of all relevant documents along with Tamil Nadu Medical Council Registration Certificate after considering the representation of petitioner dated 14.03.2026 in accordance with law and on merits expeditiously within a stipulated time frame to be fixed by this Court.

For Petitioner(s): Mr. R.Prabakar

For Respondent(s): Mr. M. Bindran
Additional Government Pleader
for R1 and R2

Mr.S.J.Mohamed Sathik
Standing Counsel for R3

ORDER

The present Writ Petition has been filed seeking issuance of a Writ of Mandamus directing the 1st respondent to include the name of the petitioner in the Provisional Selection List of candidates published vide PSL.No.05/MRB/2026 dated 05.03.2026 to the post of Assistant Surgeon(General) with Speciality Qualification in Obstetrics and Gynaecology for Direct Recruitment in Tamil Nadu Medical Services upon submission of all



relevant documents along with Tamil Nadu Medical Council Registration Certificate after considering the representation of petitioner dated 14.03.2026 in accordance with law and on merits expeditiously within a stipulated time frame to be fixed by this Court.

2. The case of the petitioner is that she completed her M.B.B.S. in the year 2019 and duly registered with Tamil Nadu Medical Council. She subsequently joined M.S.(Obstetrics and Gynaecology) Postgraduate Course at Thanjavur Medical College in the year 2021 batch. Owing to maternity reasons, she was unable to pursue the course from 01.07.2023 to 07.08.2024, which period was treated as condonation. Thereafter, she rejoined the course on 08.08.2024 and successfully completed the M.S. final examination conducted by the Tamil Nadu Dr.M.G.R. Medical University in October, 2025, and obtained the provisional certificate. However, the official date of course completion is 30.03.2026.

3. In the meantime, the 2nd respondent issued a Notification dated 18.12.2025 for recruitment to the post of Assistant Surgeon (General). The petitioner applied, appeared for the examination and secured 73 marks, being placed in the rank list. She was called for certificate verification on 24.02.2026.



However, her name was not included in the provisional selection list published for appointment, despite her eligibility, while similarly placed candidates were included. Hence, she has submitted a representation on 14.03.2026 before the first respondent, however, the same has not been considered till date. Aggrieved by the non-inclusion of her name in the provisional selection list and the denial of appointment, the petitioner has approached this Court seeking appropriate relief.

4. Per contra, the learned counsel for the respondents submitted that as per the Notification dated 18.12.2025, the petitioner has not possessed the requisite qualification as on the date of notification or on the last date for submission of applications and therefore, her candidate was not considered by the 1st respondent.

5. Heard the learned counsel appearing on either side and perused the materials placed before this Court.

6. It is admitted fact that though the petitioner passed her Post Graduate examination in October, 2025, the actual completion of the course was only on 30.03.2026. The Notification dated 18.12.2025 specifically mandates that

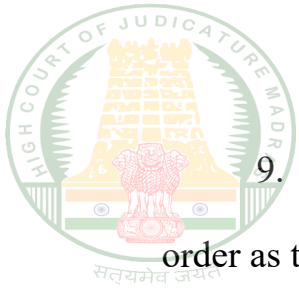


candidates must be M.B.B.S. qualified Medical Officers possessing additional qualification to the extent of MD/MD/DNB/Diploma/ Diploma in DNB/

Superspeciality (MCH) in the respective specialities. But, the petitioner has not even possessed the required qualification on the date of notification or at least on the late date for submission of applications. The said condition is mandatory in nature and cannot be relaxed by this Court.

7. It is well settled that eligibility criteria prescribed in recruitment notification must be strictly adhered to and any deviation would amount to violation of the terms of the notification as well as denial of equal opportunity to other deserving candidates. The petitioner, not having possessed the requisite qualification within the stipulated time / on the date of notification / on the last date for submission of application, cannot claim any vested right for inclusion in the selection list.

8. In such circumstances, this Court finds no illegality or arbitrariness in the action of the respondents in not including the name of the petitioner in the provisional selection list.



9. Accordingly, the Writ Petition stands dismissed. There shall be no order as to costs. Consequently, connected Miscellaneous Petition is closed.

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09-04-2026

Index : Yes/No
Speaking/Non-speaking order
Neutral Citation : Yes/No

Asi

To

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WP No. 13150 of 2



P.T.ASHA, J.

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