



W.P.(MD) No.19377 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 16.04.2026

CORAM

**THE HON'BLE MR.JUSTICE MUMMINENI SUDHEER KUMAR**

**W.P.(MD) No.19377 of 2024**

and

**W.M.P.(MD) Nos.16423, 16424, 16426 & 16427 of 2026**

Muthumari

... Petitioner

Vs.

1.The State of Tamil Nadu,  
Rep. by its Secretary to Government,  
Health and Family Welfare Department,  
Secretariat, Fort St. George,  
Chennai - 600 009.

2.The Director of Medical Education,  
Kilpauk, Chennai - 600 010.

3.The Member Secretary,  
Medical Services Recruitment Board (MRB),  
359, Anna Salai, DMS Compound,  
Teynampet, Chennai - 600 018.

... Respondents

**Prayer** : Writ Petition filed under Article 226 of the Constitution of India, for issuance of a Writ of Certiorarified Mandamus to call for the records relating to the impugned order passed by the first respondent in G.O.(Ms) No.3, Health and Family Welfare (C2) Department, dated 06.01.2016 and the consequent impugned Provisional Selection List issued by the third



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respondent in PSL.No.10/MRB/2022 dated 05.08.2024 and to quash the same and consequently to direct the respondents to include the name of the petitioner in the selection list for appointment to the post of Pharmacist.

For Petitioner : Mr.K.Navaneetharaja  
For R1 & R2 : Mr.S.Shaji Bino  
Special Government Pleader  
For R3 : Mr.V.Ramesh

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### **ORDER**

This Writ Petition has been filed challenging the orders issued by the Government in G.O.(Ms) No.3, Health and Family Welfare (C2) Department, dated 06.01.2016 and the provisional selection list issued by the third respondent through proceedings bearing PSL.No.10/MRB/2022 dated 05.08.2024, whereby candidates were provisionally selected for appointment to the post of Pharmacist.

2. The petitioner herein claims to be a differently abled person with disability in the upper limbs and is therefore entitled to the benefit of reservation provided to differently abled persons under the Rights of Persons with Disabilities Act, 2016. However, in terms of G.O.(Ms) No.3,



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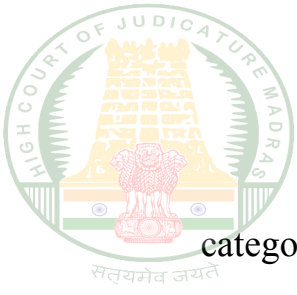
Health and Family Welfare (C2) Department, dated 06.01.2016, in respect

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of the post of Pharmacist, the reservation is restricted only to persons having disability in the lower limbs, whereas persons with disability in the upper limbs have not been brought within the scope of the reserved category for claiming reservation under the differently abled category. The petitioner, therefore, intends to challenge the said Government Order, insofar as it relates to the post of Pharmacist.

3. Admittedly, the petitioner participated in the recruitment process pursuant to Notification No.10/MRB/2022 dated 10.08.2022. Having so participated, the petitioner now intends to challenge the orders issued in G.O.(Ms) No.3, Health and Family Welfare (C2) Department, dated 06.01.2016. In the said notification, specific reference was made to the aforesaid Government Order and it was clearly stated that reservation for differently abled persons would be in accordance with the said Government Order.

4. Having been fully aware of the same, the petitioner having participated in the recruitment process and cannot now come around challenging the said Government Order, as he does not fall within the



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category of candidates eligible to claim such reservation. The petitioner, having participated in the recruitment process pursuant to the said notification, cannot be permitted to challenge the same merely because he was unsuccessful in the selection process.

5. Further, the provisional selection list was published as early as 05.08.2024, selecting a large number of candidates for appointment to the post of Pharmacist. However, none of the selected candidates have been impleaded as party respondents in this Writ Petition. In the absence of the affected parties, no relief can be granted by interfering with the impugned provisional selection list.

6. In the above circumstances, this Court is of the view that no relief can be granted to the petitioner. Accordingly, this Writ Petition is dismissed. No costs. Consequently, the connected Miscellaneous Petitions are closed.

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NCC : Yes / No

Index : Yes / No

Internet : Yes / No



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- To
- 1.The Secretary,  
Health and Family Welfare Department,  
The State of Tamil Nadu,  
Secretariat, Fort St. George,  
Chennai - 600 009.
  - 2.The Director of Medical Education,  
Kilpauk, Chennai - 600 010.



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**MUMMINENI SUDHEER KUMAR, J.**

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