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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 26.07.2021

CORAM:

THE HONOURABLE Mr.JUSTICE S.S.SUNDAR

W.P.No.12670 of 2021

Dr.H.Anugraha

.. Petitioner

Versus

1. The Principal Secretary to Government,
Public Health Department,
Fort St. George,
Chennai - 600 009.
2. The Director,
Directorate of Medical Education,
Kilpauk,
Chennai - 600 010.
3. The Director,
Directorate of Public Health and Preventive Medicine,
DMS Campus,
Chennai - 60 006.
4. The Dean,
Stanley Medical College & Hospital,
Chennai.
5. The Superintendent,
Government Hospital of Thoracic Medicine,
Tambaram Sanatorium,
Chennai - 600 047.

.. Respondents

PRAYER : Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus direct the respondent to permit the petitioner to join duty as Assistant Professor (M.D. Respiratory) at Government Thoracic Hospital at Tambaram Sanatorium, Chennai, based on the order of the 3rd respondent in his proceedings in R.No.40914/E5/A4/2020-DME-40 dated 24.02.2021.

For Petitioner : Mr.Amar D Pandiya

For Respondents : Mr.C.Kathiravan
Government Advocate



O R D E R

This Writ Petition has been filed for issuance of a Writ of Mandamus to direct the respondent to permit the petitioner to join duty as Assistant Professor (M.D. Respiratory) at Government Thoracic Hospital at Tambaram Sanatorium, Chennai, based on the order of the 3rd respondent in his proceedings in R.No.40914/E5/A4/2020-DME-40 dated 24.02.2021.

2.The petitioner completed her M.B.B.S. Degree in May 2016 and enrolled in Tamil Nadu Medical Council. The petitioner joined the Post Graduate Course in M.D. (Respiratory Medicine), as Non Service Candidate at Government Stanley Medical College Hospital, Chennai. It is admitted by the petitioner that every candidate before joining P.G. Course has to execute a bond in favour of the Government and she had also execute a bond to the effect that after completion of the P.G. Course, the petitioner undertakes to serve the Government for a period of five years or she would return a sum of Rs.40,00,000/- to the Government.

3.The petitioner after completing the M.D. Degree, has to under go compulsory service to the Government as per the bond. Though, the 2nd respondent in his proceeding dated 29.12.2020, requested the 3rd respondent to appoint the petitioner as an Assistant Surgeon, it is contended that she was not allowed for unknown reasons.

4.The grievance of the petitioner is that though the 5th respondent had informed her that they will send a letter to her for joining duty. But so far, she has not received proper intimation for joining. In this regard, the petitioner made a subsequent representation on 28.05.2021. The further grievance of the petitioner is that she is without employment and that she could not go for private practice or some other employment also, in view of the bond executed in favour of the Government.

5.This Court directed the learned Government Advocate appearing for the respondents to get instructions. The learned Government after getting instructions, submitted that, the 5th respondent sent intimation to join duty and that she has also joined the duty. In this circumstance, the learned counsel appearing on either sides state that the prayer sought for in this writ petition has become infructuous.

6.Accordingly, this writ petition is closed. No Costs.

Sd/-

Assistant Registrar(CS V)

//True Copy//

Sub Assistant Registrar

ssr



To

1. The Principal Secretary to Government,
Public Health Department,
Fort St. George, Chennai - 600 009.

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2. The Director,
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5. The Superintendent,
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Tambaram Sanatorium,
Chennai - 600 047.

+1cc to the Government Pleader, S.R.No.36249

W.P.No.12670 of 2021

MG(CO)
HS(24/08/2021)