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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 04.02.2022

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.NO.1665 of 2022

Dr.D.M.Arasi M.D. (Psychiatry)

...Petitioner

Vs

1.State of Tamil Nadu

Rep by its Principal Secretary
Department of Health & Family Welfare
Secretariat, Fort St. George
Chennai-600 009.

2.Director of Medical Education

Directorate of Medical Education
156, Poonamallee High Road,
Kilpauk, Chennai-600 010.

3.Dean

Govt. Kilpauk Medical College
Chennai-600 010.

...Respondents

PRAYER : Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the 2nd and 3rd respondent authorities to return all original certificates of the petitioner that were submitted by her at the time of her admission to M.D. (Psychiatry) course during the year 2016 at the 3rd respondent college along with his Post Graduation Certificates.

For petitioner : Mr.R.Arumugam

For Respondent : Mr. C. Jayaprakash,
Government Advocate

ORDER

The present petition has been filed seeking a direction to the respondents 2 & 3 to return all the original documents to the petitioner, which was submitted at the time of her admission within the time stipulated by this Court.

2. Mr. C. Jayaprakash, learned Government Advocate takes notice for respondents 1, 2 & 3.



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3. It is the case of the petitioner that after the completion of Post Graduate Degree in Medicine in the 3rd respondent college, the petitioner was neither given the posting order by the 3rd respondent, as stipulated in the bond which was executed during her course of study and nor her original documents were returned which were submitted by her during the said course. Aggrieved by the same, the petitioner had made a representation dated 28.12.2021 to the respondents 2 & 3 for return of his original documents. However, till date, the same has not been considered. Hence, the present petition is filed seeking the aforesaid relief.

4. Learned counsel appearing for the petitioner submits that the respondents have neither issued the posting order nor returned the original orders to the petitioner, due to which the petitioner could not meet out the needs of her livelihood. Hence, this Court may issue a direction to the respondents 2 & 3 to consider and dispose of the representation made by the petitioner to return the original documents to the petitioner, within the time stipulated by this Court.

5. Learned Government Advocate appearing for the respondents submits that the posting order will be issued to the petitioner within a period of one week.

6. Heard, the learned counsel on the either side and perused the materials available on record.

7. Upon perusal of the materials available on record and in view of the submission made by the learned Government Advocate appearing for the respondents, this Court without going into the merits of the case, directs the respondents 2 & 3 to issue the posting order to the petitioner within a period of one week from the date of receipt of a copy of this order. On receipt of the same, the petitioner is directed to join the duty within of period of two weeks thereafter. Failing issuance of posting order, the 3rd respondent is directed to return all the original documents to the petitioner which were produced at the time of admission for the said course within a period of one week thereafter.

8. With the aforesaid direction, this Writ Petition is disposed of. No Costs.

Sd/-

Assistant Registrar

// True Copy //

Sub Assistant Registrar

NHS



To

1.The Principal Secretary
State of Tamil Nadu
Department of Health & Family Welfare
Secretariat, Fort St. George
Chennai-600 009.

2.Director of Medical Education
Directorate of Medical Education
156, Poonamallee High Road,
Kilpauk, Chennai-600 010.

3.Dean
Govt. Kilpauk Medical College
Chennai-600 010.
Villupuram.

+1cc to Mr.R.Arumugam, Advocate Sr.No.7586

+1cc to the Government Pleader Sr.No.8055

W.P.NO.1665 of 2022

SR(CO)
RVM(03/03/2022)