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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 25.05.2022

CORAM :

THE HONOURABLE MR. JUSTICE S.M. SUBRAMANIAM

W.P.No.13279 of 2022

and

W.M.P.No.12572 of 2022

- 1.Dr.MD Nizamuddin Khan
- 2.Dr.Udaya Kumar D
- 3.Dr.Gunasekar C
- 4.Dr.Nithya Bharathi.P.M
- 5.Dr.Mohamed Irshad M.R
- 6.Dr.Indrajit.A
- 7.Dr.Niveditha P
- 8.Dr.Madhumitha S
- 9.Dr.Surendran.P
- 10.Dr.Vaishnavi R
- 11.Dr.Gokila.N
- 12.Dr.Benedict Vinothini. A
- 13.Dr.Saranya T
- 14.Dr.Aparna.J
- 15.Dr.Sajna S
- 16.Dr.Saravanan R
- 17.Dr.Abhinaya.G
- 18.Dr. Logashree P
- 19.Dr.Preethi M
- 20.Dr.Eswari Kamatchi.U



22.Dr.Marc Raina P

23.Dr.Sathish Srinivasan M

24.Dr.Selvakumar G

25.Dr.Lakshmikanth V

26.Dr.Varun Maurya. R

27.Dr.Salmonkhan H

28.Dr.Mahitha A

29.Dr.Arun S

30.Dr.Ganesh Kumar S

31.Dr.Nazeera Banu C

32.Dr.Gowsika A

33.Dr.Jeiganesh M

34.Dr.Pari P

35.Dr.Harish S

36.Dr.Abinaya A

37.Dr.Dhinesh N. L.

38.Dr.Lekshmi Prasad

39.Dr.Jai Praveen.N

40.Dr.Devika Venu

41.Dr.Noor Sulthana Z

42.Dr.Anusha

43.Dr.Sri Hari Vignesh R

44.Dr.Adeep Aslam

45.Dr.Praveena Meenakshi P

46.Dr.Priyanka E

47.Dr.Vishnu Ram V

48.Dr.Manigandan R



49.Dr.Sriram C K

50.Dr.Cyndia M

51.Dr.Jagan Babu K L

52.Dr.Shunmadhi S

53.Dr.Priyadharshini S

54.Dr.Rajesh Ajmeera

55.Dr.Balaji I

56.Dr.Hisham Abubeker

57.Dr.Susan Rajkumari. D

58.Dr.Dharani E

59.Dr.Rashiha R

60.Dr.Gayathri S

61.Dr.Arya Gireesh

62.Dr.Thenmozhi A

63.Dr.Dhanya Poduval

64.Dr.Abitha Reshasrini J

65.Dr.Madhumidha N

66.Dr.Karpagam G

67.Dr.Rajkamal M

68.Dr.Mohan Kumar V

69.Dr.Nivetha.S

70.Dr.Manojh M

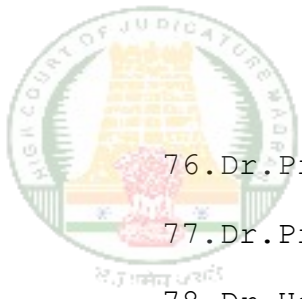
71.Dr.Vundinty Vennela

72.Dr.Akshaya D

73.Dr.Ashwini K

74.Dr.Iswarya D

75.Dr.Sindhu RSS



76.Dr.Prabhavadivarasi A

77.Dr.Pradeepa. N

78.Dr.Harini J

79.Dr.Ramya O M

80.Dr.Syed Mohammed Jazeel S

81.Dr.Nivedhitha G R

82.Dr.Vigneshwaran A

83.Dr.Himana Nishara.S

84.Dr.Deeksha R

85.Dr.Karthika Priya S

86.Dr.Rohini R

87.Dr.Sankavi D

88.Dr.Keerthana N

89.Dr.Bavish M

90.Dr.Walter Prabakaran M

91.Dr.Jayanthan S S

92.Dr.Pavithra M

93.Dr.Akshaya S

94.Dr.Vysakh.S

95.Dr.Arun Prasad M

96.Dr.Selva Priya S

97.Dr.Nithya.M

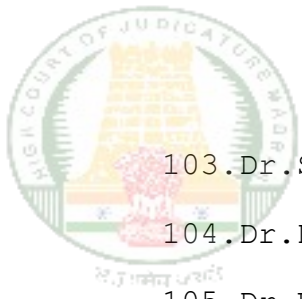
98.Dr.Kavi Prabha E

99.Dr.Kishan.V

100.Dr.Abdul Hakeem S

101.Dr.Keerthana S

102.Dr.Arun Kumar Jacob R



103.Dr.Sowmiya P K

104.Dr.Dhivakar S

105.Dr.Renugadevi S

106.Dr.Sai Krishnan M

107.Dr.Bhuvanapriya I

108.Dr.Vignesh Babu T

109.Dr.Bavadhaarini S

110.Dr.Narmadha.S.V

111.Dr.Sathya Suganya S

112.Dr.Dhivya S

113.Dr.Leena S

114.Dr.Karthik M R

115.Dr.Selvapriya S

116.Dr.Tamilazhagan L

117.Dr.Divya. S

118.Dr.Soorya N

119.Dr.Mary Priyadharshini S

120.Dr.Azmeera Mahesh

121.Dr.Nilofer Noorie M

122.Dr.Jayamaliga V

123.Dr.Ramkumar R

124.Dr.Girija C

125.Dr.Harishkumar S

126.Dr.Gurumoorthy P

127.Dr.Sabarenaa Tharini N

128.Dr.Dhivya. P

129.Dr.Snega B



130.Dr.Priyanka P

131.Dr.Divya Raviprakash

132.Dr.Shruthi Pavana Janardhan

133.Dr.Puliseri Srinivas

134.Dr.Anis Stephy A

135.Dr.Divyapriya S

136.Dr.Arya.N. Baby

137.Dr.Nunavath Santosh

138.Dr.Vasanth Bharathy C

139.Dr.Najiya Mohamadunni

140.Dr.Savitha M

141.Dr.Vishnupriya R T

142.Dr.Ranjith K Robert

143.Dr.Buvanesh J

144.Dr.Sailesh Babu G. R

145.Dr.Sukanya M

146.Dr.Suresh vislavath

147.Dr.Keerthy Nath S

148.Dr.Aravindh Babu K

149.Dr.Monisha Maria P

150.Dr.Annapoorneswary.R

... Petitioners

Vs.

1. The State of Tamil Nadu,
Represented by its Principal Secretary,
Health and Family Department,
Secretariat, Chennai-600 009.

2. Directorate of Medical Education,
Represented by the Deputy Director of Medical Education,
Kilpauk, Chennai - 600 010.



3. Madras Medical College,
Represented by its Dean,
E.V.R. Salai, Chennai - 600 003.
4. Government Kilpauk Medical College,
Represented by its Dean,
Poonamalee High Road, Kilpauk,
Chennai - 600 010.
5. Government Chengalpattu Medical College,
Represented by its Dean,
G.S.T. Road, Chengalpattu District,
Kancheepuram - 603 001.
6. Kanyakumari Government Medical College,
Represented by its Dean,
Asaripallam, Nagercoil, Kanayakumari District,
Tamil Nadu - 629 201.
7. Thanjavur Medical College,
Represented by its Dean,
Thanjavur - 613 004.
8. Stanley Medical College
Represented by its Dean,
No.1 Old Jail Road,
Chennai-600 001.
9. Government Mohan Kumaramangalam
Medical College Hospital
Represented by its Dean,
Fort Main Road, Salem - 636 002.
10. KAP Viswanathan Government Medical College,
Represented by its Dean,
Periyamilaguparai, Collector-s Office Road,
Trichy-620 001.
11. Coimbatore Government Medical College,
Represented by its Dean,
Coimbatore-641 018.
12. Tirunelveli Medical College,
Represented by its Dean,
High Ground Road, Palayamkottai,
Tirunelveli-627 011.
13. Madurai Medical College,
Represented by its Dean,
Panagal Road, Alwarpuram,
Madurai-625 050.



14.Thoothukudi Government Medical College and Hospital,
Represented by its Dean,
Kamaraj Nagar, Thoothukudi,
Tamil Nadu - 628 008.

15.Government Vellore Medical College and Hospital,
Represented by its Dean,
Pennathur Post, Adukkamparai, Vellore,
Tamil Nadu - 632 011. ... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the respondents 3 to 15 to forthwith return the original certificates/documents of the petitioners, collected by the respondents 3 to 15 while admitting the petitioners to Post Graduate Degree courses in various institutions as sought vide representation lastly dated 04.05.2022 in light of the judgment of this Court in W.A.No.1182/2022 dated 27.4.2022.

For Petitioners : Mr.N.A.Nissar Ahmed

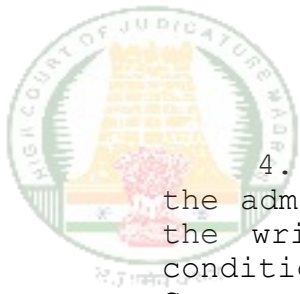
For Respondents : Mr.V.Jeeva Giridharan
Additional Government Pleader

O R D E R

The relief sought for in the present writ petition is to direct the respondents 3 to 15 to forthwith return the original certificates/documents of the petitioners, collected by the respondents 3 to 15 while admitting the petitioners to Post Graduate Degree courses in various institutions as sought vide representation lastly dated 04.05.2022 in light of the judgment of this Court in W.A.No.1182 of 2022 dated 27.04.2022.

2. Admittedly, the writ petitioners have undergone Post Graduate Courses in various discipline in Government Institutions. They have completed their respective specialty courses and they are awaiting the posting orders from the government as per the bond executed by them. As per the bond condition, the petitioners are bound to serve in Government Hospitals for a minimum period of two years after completion of the specialty courses.

3. The learned counsel for the petitioners mainly contended that even after the completion of the Post Graduate Courses, the respondents have not issued the posting orders and further, not returned the original certificates enabling the writ petitioners to continue their medical practice. Hence, these petitioners are constrained to move the present writ petition.



4. It is not in dispute between the parties that during the admission to Post Graduate courses in various specialties, the writ petitioners have executed a bond and as per the conditions of the bond, the petitioners are bound to serve in Government Hospitals for a minimum period of two years after completion of their respective specialty courses.

5. The learned Additional Government Pleader appearing on behalf of the respondents furnished a copy of the written instructions issued by the Director of Medical Education, dated 25.05.2022. As per the written instructions of the Director of Medical Education, the department has decided to conduct counselling for the Service Post Graduates on 02nd June 2022. The counselling for the Non Service Post Graduates for specialties of Obstetrics & Gynaecology, Radio Diagnosis, Radio Therapy, Anatomy, Forensic Medicine, Anaesthesia and SPM will be held on 6th June 2022 by the Director of Medical Education and the remaining departments counselling will be conducted by the Director of Medical and Rural Health Services, Chennai in the 3rd week of June 2022 and it is further stated that after completion of the counselling, the Director of Public Health and Preventive Medicine, Chennai will issue appointment and Posting orders to the Non Service Post Graduates for continuing their bond service.

6. The written instructions issued by the Director of Medical Education, in clear terms, states that the counselling will be conducted for the petitioners also and appointment and posting orders will be issued by the competent authority. Then, it is clarified that the petitioners will be issued with the appointment and posting orders during the counselling scheduled to be held in the month of June 2022. The petitioners are bound to participate in the counseling and serve in Government Hospitals as per the bond executed by them.

7. The Government has also spent huge amount of tax payers' money for imparting Post Graduate specialty courses. When public money has been spent for the education for these doctors and specifically, for acquiring specialisation in medicine, their services are required for the public at large.

8. Even as per the Medical Council of India, the doctors are bound to serve for the welfare of the citizens of our great nation. They have taken an oath in this regard. Therefore, all the conditions are to be complied with by the petitioners in the interest of public and to honour the oath taken by them on completion of their respective medical courses.

9. This being the factum established, the respondents are directed to conduct the counselling as per schedule stated in the written instructions dated 25.05.2022 and issue appointment and posting orders to all the petitioners enabling



them to serve in Government Hospitals in compliance with the bond conditions. It is needless to state that the eligible stipend is to be paid to these doctors as per the Rules in force.

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10. With these directions, the Writ Petition stands disposed of. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Vacation Officer

//True Copy//

Sub Assistant Registrar

sp/nv

To

1. The Principal Secretary,
Health and Family Department,
Secretariat, Chennai-600 009.
2. The Deputy Director of Medical Education,
Directorate of Medical Education,
Kilpauk, Chennai - 600 010.
3. The Dean,
Madras Medical College,
E.V.R. Salai, Chennai - 600 003.
4. The Dean,
Government Kilpauk Medical College,
Poonamalee High Road, Kilpauk,
Chennai - 600 010.
5. The Dean,
Government Chengalpattu Medical College,
G.S.T. Road, Chengalpattu District,
Kancheepuram - 603 001.
6. The Dean,
Kanyakumari Government Medical College,
Asaripallam, Nagercoil, Kanayakumari District,
Tamil Nadu - 629 201.
7. The Dean,
Thanjavur Medical College,
Thanjavur - 613 004.



8. The Dean,
Stanley Medical College
No.1 Old Jail Road,
Chennai-600 001.

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9. The Dean,
Government Mohan Kumaramangalam Medical College Hospital,
Fort Main Road,
Salem - 636 002.

10. The Dean,
KAP Viswanathan Government Medical College,
Periyamilaguparai, Collector-s Office Road,
Trichy - 620 001.

11. The Dean,
Coimbatore Government Medical College,
Coimbatore-641 018.

12. The Dean,
Tirunelveli Medical College,
High Ground Road, Palayamkottai,
Tirunelveli-627 011.

13. The Dean,
Madurai Medical College,
Panagal Road, Alwarpuram,
Madurai-625 050.

14. The Dean,
Thoothukudi Government Medical College and Hospital,
Kamaraj Nagar, Thoothukudi,
Tamil Nadu - 628 008.

15. The Dean,
Government Vellore Medical College and Hospital,
Pennathur Post, Adukkamparai, Vellore,
Tamil Nadu - 632 011.

+1cc to Mr.N.A.Nissar Ahmed, Advocate SR. No. 31752
+1cc to Government Pleader, SR. No. 31789

W.P. No.13279 of 2022
and
W.M.P.No.12572 of 2022

EV (CO)
PR (30/05/2022)