



W.P.No.29803 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 10.11.2022

CORAM :

THE HONOURABLE MR.JUSTICE N.SATHISH KUMAR

Writ Petition No.29803 of 2022

Dr.Senthil Kumar
Petitioner

....

-Vs-

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

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

3.The Dean
Tirunelveli Medical College
Tirunelveli

.... Respondents

Prayer : Writ Petition under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus, directing the respondents to return the original certificates of the petitioner retained by the 3rd respondent regarding the post Graduation Course.



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For Petitioner : Mr.K.R.Laxman

For Respondents : Mr.U.M.Ravichandran
Spl. Govt. Pleader

ORDER

The prayer sought for herein is for a Writ of Mandamus directing the 3rd respondent to return the original certificates collected from the petitioner at the time of admission into P.G. Course.

2. The petitioner is a qualified doctor who had pursued his Post Graduate Degree (P.G.) in the College of the 3rd respondent, during academic years 2017-2020 and completed the course during May 2020. At the time of joining the college the petitioner executed a bond under which the petitioner has to serve the institution for a period of two years after completing the P.G.Degree. The said condition was duly complied with by the petitioner.

3. While that being so, the petitioner had applied for Super Specialty Course through NEET and he was qualified to get the said Super Specialty course this year and in order to join the said course, when the petitioner approached the 3rd respondent to get the original degree certificates, which



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he had produced at the time of joining the P.G.degree at the 3rd respondent college, the certificates are denied. Therefore, the petitioner is before this Court.

4. Heard the learned counsel for the petitioner and Mr.U.M.Ravichandran, the learned Special Government Pleader appearing for the respondents.

5. Though the petitioner has completed the PG Degree course in the year 2020 and two years bond period is over, the petitioner wants to give an undertaking to the 3rd respondent institution that, after he joins and completes the Super Specialty Course, he is ready and willing to work with or serve the 3rd respondent or any other institution at the instance of the 3rd respondent.

6. In view of the aforesaid stand taken by the petitioner through the learned counsel for the petitioner, this Court is inclined to dispose of this writ petition with the following order;



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- That the petitioner shall execute an indemnity bond with an undertaking that the two years bond period can be extended for further period of two years after the petitioner completes the Super Specialty Course for which he has been qualified now and after he completes the Super Specialty Course in Medicine, he would again serve the 3rd respondent institution or any other institution at the instance of the 3rd respondent institution for a period of two years.
- On receipt of such undertaking to be executed by the petitioner, the 3rd respondent institution shall release the original certificates held by them which were submitted by the petitioner along with the provisional certificate of the P.G.Degree course, enabling the petitioner to join in the Super Specialty Course.

7. With the aforesaid directions, this writ petition is disposed of. No costs. Consequently, connected miscellaneous petition is closed.

14.11.2022
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To

1.The State of Tamil Nadu



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Secretariat, Chennai 600 009.

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N.SATHISH KUMAR, J.

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