



W.P.No.32233 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 01.12.2022

CORAM :

THE HONOURABLE MR.JUSTICE R.SURESH KUMAR

Writ Petition No.32233 of 2022

Dr.Virginia Shangpliang

...Petitioner

-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,
Rep. by the Director of Medical Education,
Kilpauk, Chennai - 600 010.
- 3.Coimbatore Medical College,
Rep. by its Dean,
Avinashi Road, Peelamedu,
Civil Aerodrome Post, Coimbatore,
Tamil Nadu - 641 018.

...Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus to directing the respondents to return the original certificates of the petitioner collected by the 3rd respondent at the time of her admission.



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For Petitioner : Mr.E.Manoharan

For Respondents : Mr.U.M.Ravichandran
Special Government Pleader

ORDER

The petitioner in this writ petition had joined in PG Medical Course and completed the same in May, 2019. At the time of joining the course, she had submitted her original certificates relating to the UG Degree. That apart, as required by the respondents, the petitioner also had executed a bond stating that, after completion of her PG degree, she would work for Government Hospitals/Institutions, as the respondents desire, for a period of two years, which is otherwise called bond period.

2. After completion of the course in May, 2019, though the petitioner had waited for getting the job or engagement, the respondents have not come forward to utilize the services of the petitioner in any Government institutions or hospitals and to that effect, no orders of appointment or engagement had been made or passed by the respondents. Therefore, the entire bond period lapsed by May, 2021.



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3. In view of the same, the petitioner is free to get back her certificates which are held back by the third respondent College. In order to get those certificates, the petitioner has moved the present writ petition.

4. Heard the learned counsel for the petitioner and the learned Special Government Pleader appearing for the respondents.

5. The issue raised in this writ petition has already been decided in a number of cases, where it has been held that, the period of applicability of the conditions under the bond will be co-terminus within the period of two years from the date a candidate successfully passes out the course and thereafter, the Doctor/candidate is free to get back the certificates.

6. In that view of the matter, there shall be a direction to the respondents to return back the original certificates belonging to the petitioner, which are held back by the respondents at the time when the petitioner joined the PG course, within a period of one week from the date of receipt of a copy of this order.



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R. SURESH KUMAR, J.

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7. With the above direction, this writ petition is disposed of. No costs.

01.12.2022

Index:Yes/No

Speaking order/Non-speaking order

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To

- 1.The Principal Secretary,
Health and Family Department,
Secretariat, Chennai 600 009.
- 2.The Director of Medical Education,
Directorate of Medical Education,
Kilpauk, Chennai 600 010.
- 3.The Dean,
Coimbatore Medical College,
Avinashi Road, Peelamedu,
Civil Aerodrome Post, Coimbatore,
Tamil Nadu - 641 018.

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