



W.P.No.32238 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.32238 of 2022

Dr.Vanlalveli

...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, when the petitioner was waiting during the bond period, in order to engage the services of the petitioner, the respondents had given posting orders on 20.02.2020. However, at that time, since the petitioner has already been engaged by the Government machinery at Mizoram Government, she could not honour the appointment order given by the respondents. Thus, it became clear that after lapse of about 9 months, since the posting order was given to the petitioner,



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she was not able to honour the same. Thereafter, the bond period of the petitioner expired in the month of May, 2021.

3. Only in this context, the petitioner has approached this Court by filing the present writ petition seeking a direction to the respondents to return the original certificates.

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

5. Having considered the factual matrix of this case, this Court feels that, either the petitioner has to work for the remaining bond period in any Government hospital/institution whenever she is called for or she has to pay the bond amount as determined by the respondents.

6. In that view of the matter, this Court is inclined to dispose of this writ petition with the following orders:-

(i) There shall be a direction to the respondents to get an undertaking affidavit from the petitioner stating that she will work for the remaining



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bond period in any Government hospital / institution whenever her service is required by the respondents by giving an appointment order to that effect or that she will pay the bond amount to the respondents.

(ii) After getting this undertaking affidavit from the petitioner, the certificates required by the petitioner shall be returned back to her by the respondents, within a period of one week from the date of receipt of such affidavit.

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

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Index:Yes/No
Speaking order/Non-speaking order
hvk



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Health and Family Department,
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- 2.The Director of Medical Education,
Directorate of Medical Education,
Kilpauk, Chennai 600 010.
- 3.The Dean,
Coimbatore Medical College,
Avinashi Road, Peelamedu,
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R. SURESH KUMAR, J.

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