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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 21.12.2022

CORAM

THE HON'BLE Mr. JUSTICE **C.V.KARTHIKEYAN**

W.P.No.34359 of 2022

Dr.D.Karthikeyan

.. Petitioner

Vs.

1.The State of Tamil Nadu,
Rep. by its Principal Secretary,
Health and Family Welfare Department,
Secretariat, Chennai – 600 0009.

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

3.Kilpauk Medical College,
Represented by its Dean,
822, Poonamallee High Road, Kilpauk,
Chennai – 600 010.

.. Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the respondents to return all the original certificates of the petitioner collected by the 3rd respondent college at the time of the petitioner's admission into the 3rd respondent college and his M.Ch. Degree Certificate.



For Petitioner

.. Mr.E.Manoharan

For R1 to R3

.. Mr.T.Seenivasan,
Special Government Pleader.**ORDER**

This writ petition has been filed in the nature of Writ of Mandamus, seeking return of original certificates of the petitioner collected by the 3rd respondent / Kilpauk Medical College.

2.The petitioner, had completed his M.Ch.(Urology) course in the year 2020 from the 3rd respondent. He had executed a bond, which is normally for a period of two years undertaking to work in Government service. The two years has now passed. They have also not given him any posting. The certificates are, however, retained by the 3rd respondent.

3.The learned Special Government Pleader states that the petitioner is qualified in Super Speciality and there are no vacancies in any of the Government colleges to fit in the petitioner.



4.The 3rd respondent cannot retain the educational certificates of the petitioner, since those certificates are the results of long labour and hard work put in by the petitioner in M.Ch.(Urology). They can also be considered as his valuable property.

5.In view of the fact that the petitioner had not been given any posting for a period of two years, I hold that the action of the 3rd respondent holding the certificates has to be interfered with by this Court, and a mandamus is issued directing the 3rd respondent to return back the original certificates within a period of three weeks from the date of receipt of a copy of this order.

6.With the above observations, this Writ Petition stands allowed. No costs.

21.12.2022

Index:Yes/No
Internet:Yes/No
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C.V.KARTHIKEYAN,J.

smv

To

- 1.The Principal Secretary,
Health and Family Welfare Department,
Secretariat, Chennai – 600 0009.
- 2.Directorate of Medical Education,
Represented by the Director of Medical Education,
Kilpauk, Chennai – 600 010.
- 3.Kilpauk Medical College,
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