



W.P(MD)No.23331 of 2022

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

DATED : 08.12.2022

CORAM

**THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN**

W.P(MD)No.23331 of 2022

and

W.M.P.(MD)No.17395 of 2022

1.B.Hari Prasanth

2.N.Naveen Kumar

3.S.Arthi

4.V.Govindaraj

5.S.Aadila Naaz

... Petitioners

**Vs.**

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

2.The Director of Medical Education,  
Directorate of Medical Education,  
Kilpauk, Chennai - 10.

3.The Deputy Director of Medical Education,  
The Directorate of Medical Education,  
Kilpauk, Chennai - 10.

4.The National Medical Council,  
Represented by its Secretary,  
Pocket 14 Sector 8, Dwarka Phase I,  
New Delhi - 110 077.



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5.The Dean,  
Thanjavur Medical College,  
Thanjavur.

... Respondents

**Prayer :** Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, to direct the respondents to release / return the original certificates retained by the respondents during admission to Post Graduate Course to the petitioners forthwith in light of the order made in respect of similarly placed persons in WP (MD) No.9821 of 2022 dated 19.05.2022 on the file of this Court and WP (MD) No.14112 of 2022 dated on 05.07.2022 on the file of the Principal Seat of this High Court, within the period that may be stipulated by this Court.

For Petitioners : Mr.D.Venkatraman

For Respondents : Mr.S.Shaji Bino,  
Spl. Government Pleader for R1 to R3 & R5.  
Mrs.R.Shubharanjani Ananth for R4.

### **ORDER**

Heard the learned counsel on either side.



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2.The writ petitioners after completing their M.B.B.S. course joined post graduate course in the fifth respondent college. At the time of securing admission in the post graduate course, the petitioners had executed bond undertaking to serve the Government of Tamilnadu for a period of two years. The petitioners have since successfully completed their courses. The petitioners claim that they had done Covid duty and that therefore, they should be relived from fulfilling the bond conditions. I decline to go into the said issue. The only relief that can be given in this writ petition is for directing the fifth respondent to return the original certificates to the respective writ petitioners. This shall be done forth with and without any delay. The writ petition is allowed. I however make it clear that it is open to the authorities to initiate action against the writ petitioners herein for enforcement of the bond conditions.

3.With this liberty to the respondents, the writ petition is allowed. No costs. Consequently, connected miscellaneous petition is closed.

**08.12.2022**

Index : Yes / No  
Internet : Yes/ No  
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**G.R.SWAMINATHAN, J.**

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To:

- 1.The Principal Secretary to Government,  
Health and Family Welfare Department,  
Secretariat, Chennai.
- 2.The Director of Medical Education,  
Directorate of Medical Education,  
Kilpauk, Chennai - 10.
- 3.The Deputy Director of Medical Education,  
The Directorate of Medical Education,  
Kilpauk, Chennai - 10.
- 4.The Dean,  
Thanjavur Medical College,  
Thanjavur.

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