



W.P.(MD).No.23701 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 01.12.2022

CORAM:

THE HONOURABLE MRS.JUSTICE V.BHAVANI SUBBAROYAN

W.P.(MD).No.23701 of 2022

Dr.K.Keerthana

... Petitioner

vs.

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

2.The Director of Medical Education,
DME Office,
156, Poonamallee High Road,
Chetpet,
Chennai 600 031.

3.The Dean,
Madurai Medical College,
Madurai.

... Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the third respondent to release/return the original certificates of the petitioner, which is retained by the third respondent during the post graduation course of MD.DVL and original degree certificate along with the



W.P.(MD).No.23701 of 2022

provisional certificate to the petitioners, based on the representation of the petitioner, dated 11.10.2022.

For Petitioner : Mr.S.Ramsundarvijayraj
For R1 to R3 : Mr.S.Kameswaran
Government Advocate

ORDER

This Writ Petition has been filed for issuance of a Writ of Mandamus, directing the third respondent to release/return the original certificates of the petitioner, which is retained by the third respondent during the post graduation course of MD.DVL and original degree certificate along with the provisional certificate to the petitioners, based on the representation of the petitioner, dated 11.10.2022.

2. The case of the petitioner is that she has completed MBBS degree in the Government Medical College and Hospital, Madurai in the year 2012 – 2018 and in the year 2019, after passing in the NEET Exam, she got admitted MD.DVL in the Government Medical College and Hospital, Madurai. At the time of admission in the third respondent College, the third respondent have got a bond by obtaining original



W.P.(MD).No.23701 of 2022

certificates including 12th Mark Sheet, MBBS Degree Certificate, MBBS Mark Sheet, MBBS Registration Certificate, MBBS CRRI Completion Certificate, Conduct Certificate, TC from Previous College and Allotment Order. She has completed MD.DVL in the year of May 2022 and as a Post Graduate Doctor, she had worked during the Critical Covid period. Now, she has been preparing for the NEET Examination. After completion of MD.DVL in the third respondent College, the third respondent is still holding her original certificates. Hence, she has made a representation dated 11.10.2022, to the respondents seeking return of the original certificates. Even after receiving the said representation, the third respondent has not acted upon the same. Therefore, the present writ petition has been filed.

3. The Dean, Madurai Medical College, Madurai has filed a counter stating that the petitioner has not completed her bond period as per the bond condition and she should work for a period of two years, but she has not fulfilled the bond condition.

4. Heard the learned counsel for the petitioner and the learned Government Advocate appearing for the respondents 1 to 3.



W.P.(MD).No.23701 of 2022

WEB COPY

5. Considering the above facts, this Court directs the petitioner to give an undertaking and bank guarantee to the third respondent and on receipt of the same, the third respondent is directed to consider the petitioner's representation dated 11.10.2022 and pass appropriate orders, on merits and in accordance with law.

6. With the above direction, this Writ Petition is disposed of. No costs.

01.12.2022

akv
To

1.The Principal Secretary,
Government of Tamil Nadu,
Health and Family Welfare Department,
Secretariat,
Chennai 600 009.

2.The Director of Medical Education,
DME Office,
156, Poonamallee High Road,
Chetpet,
Chennai 600 031.

3.The Dean,
Madurai Medical College,
Madurai.

4/5



WEB COPY



W.P.(MD).No.23701 of 2022

V.BHAVANI SUBBAROYAN,J.

akv

W.P.(MD).No.23701 of 2022

01.12.2022