



W.P.No.11612 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 17.04.2023

CORAM :

THE HONOURABLE MR. JUSTICE M. DHANDAPANI

W.P.No.11612 of 2023

and

W.M.P.No.11516 of 2023

Dr.Sumaiya Alauddin

... Petitioner

Vs.

1.State of Tamil Nadu,
Represented by its Secretary,
Health and Family Welfare Department,
Fort St.George, Chennai – 600 009.

2.The Director of Medical Education,
156, Poonamallee High Road,
New Bupathy Nagar,
Chetpet, Chennai – 600 031.

3.The Dean,
Government Stanley Medical College,
1, Old Jail Road,
George Town, Chennai – 600 001.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, to direct the 2nd and 3rd respondents authorities to return all original certificates of the petitioner that were



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submitted by her at the time of her admission to Post Graduate MD (Pediatrics) Course during May 2017 in the 3rd respondent college within a time period stipulated by this Court.

For Petitioner : Ms.S.Shanmitha

For Respondents : Mr.E.Veda Bagath Singh
Special Government Pleader

ORDER

The Writ Petition is filed seeking for a Writ of Mandamus, to direct the respondents 2 and 3 to return all the original certificates of the petitioner that were submitted by her at the time of her admission to Post Graduate MD (Pediatrics) Course during May 2017 in the third respondent college within a time period stipulated by this Court.

2. The case of the petitioner is that, she completed M.B.B.S. Course during the year 2016 and she got admission for Post Graduate MD (Paediatrics) course in the third respondent College in the year 2017. At the time of joining the said course, she executed a bond for a sum of Rs.40,00,000/- with an undertaking that she will serve the Government of Tamil Nadu for a period of two years. Thereafter, she successfully completed the said course in the year 2020 and was issued with a



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provisional certificate. Thereafter, temporary posting orders were given to the petitioner and she served for a period of six months. Since the bond period was completed in the month of May, 2022, the petitioner has made a representation before the respondents on 27.03.2023 seeking return of her original certificates submitted by her at the time of admission. However, the respondents have not considered the same and hence, the petitioner filed the above writ petition before this Court for return of original certificates.

3. The learned counsel for the petitioner submits that, similarly placed persons have approached this Court seeking for return of bond executed by filing a writ appeal in W.A.No.799 of 2019 in the case of ***State of Tamil Nadu Vs. P.S.Sairam & Ors.*** and this Court, by its order, dated 06.10.2020 has held that the bond along with certificates must be returned to the candidates, once the State has failed to provide any employment within a period of two years from the date of passing out as per the terms and conditions of the bond. Hence, he prays that the same benefit may be extended to this petitioner also.



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4. The learned Special Government Pleader appearing for the respondents fairly submitted that the original certificates will be returned to the petitioner after satisfaction of the norms.

5. In view of the aforesaid submissions, this Court, without going into the merits of the case, directs the respondents 2 and 3 to return the original certificates to the petitioner, which were submitted by her at the time of admission to the Post Graduate MD (Paediatrics) Course, if she is otherwise eligible, within a period of four (4) weeks from the date of receipt of a copy of this order.

6. With the above direction, the Writ Petition is disposed of. No costs. Consequently, the connected miscellaneous petition is closed.

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Index : Yes / No
Speaking order / Non-speaking order
Neutral Citation Case : Yes / No
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M.DHANDAPANI, J.

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