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W.P.No.17606 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 14.06.2023

CORAM :

THE HONOURABLE MR. JUSTICE M. DHANDAPANI

W.P.No.17606 of 2023

and

W.M.P.No.16689 of 2023

Dr.Achyutha Satyavarapu

... 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,
Kilpauk, Chennai – 600 010.

3.The Dean,
Madras Medical College,
Poonamallee High Road, Park Town,
Chennai – 600 003.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the 2nd and 3rd respondents authorities to return all original certificates of the petitioner that were submitted by her at the time of her admission to Post Graduate Degree of Diploma in Obstetrics and Gynaecology (DGO) Course during May 2018 in the 3rd respondent college, within a time period stipulated by this Court.



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W.P.No.17606 of 2023

For Petitioner : Ms.S.Shanmitha
For Respondents : Mr.V.Manoharan
Additional 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 Degree of Diploma in Obstetrics and Gynaecology (DGO) Course during May 2018 in the third respondent college within a time period stipulated by this Court.

2. The case of the petitioner is that, she joined M.B.B.S. Course in the year 2007 and completed the same in the year 2012. Subsequently, she got admission for Post Graduate Degree of Diploma in Obstetrics and Gynaecology (DGO) 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.20,00,000/- 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 during May 2020 and was issued with a



W.P.No.17606 of 2023

WEB COPY

provisional certificate. The bond period commenced from May 2020 till May 2022 and during the bond period, no posting order has been issued to the petitioner. Though the bond period has been expired, the original certificates have not been returned to the petitioner. Therefore, the petitioner has sent a representation to the respondents 2 and 3 seeking for return of all original certificates submitted to the third respondent at the time of her admission to Post Graduate Course. Since the respondents 2 and 3 have not considered the same, 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 by way of 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.



W.P.No.17606 of 2023

WEB COPY

4. The learned Additional 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 Degree of Diploma in Obstetrics and Gynaecology (DGO) 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.

14.06.2023

Index : Yes / No
Speaking order / Non-speaking order
Neutral Citation Case : Yes / No
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W.P.No.17606 of 2023

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M.DHANDAPANI, J.

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