



W.P.No. 35205 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

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DATED: **12.01.2023**

CORAM:

THE HONOURABLE MR.JUSTICE C.V.KARTHIKEYAN

W.P.No. 35205 of 2022

Dr. S. Harshini

... Petitioner

Vs

1. The State of Tamil Nadu

Represented by its Principal Secretary,
Health and Family Department,
Secretariat, Chennai – 600 009.

2. Directorate of Medical Education,

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

3. The Dean,

Stanley Government Medical College,
Chennai – 600 001.

.... Respondents

Prayer: Writ petition filed under Article 226 of the Constitution of India, for the issuance of a Writ of Mandamus, directing the third respondent to return the original certificates/documents of the petitioner along with their post graduate provisional/Degree certificates.

For Petitioner : Mr. M. Guberamoorthy
For Respondents : Mr. T. Seenivasan
for R1



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ORDER

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The writ petitioner Dr. S. Harshini had joined MD General Medicine in the third respondent/Stanley Government Medical College at Chennai and had completed three years post graduation degree in May, 2022.

2. There was an obligation to execute a bond that she would undertake Government service in any Government hospital as stipulated by the first and second respondents for a period of two years. Along with the bond to further ensure that she would keep up with such undertakings given in the bond, the respondents also have the peculiar practice of retaining all the original certificates. She had also handed over her original certificates. Technically they are a reflection of her own efforts. They can also be categorized as her property in a narrow sense.

3. She had now been allotted under the terms of the bond to join ESI College at Vellore and it is informed that she had so joined a college on 21.12.2022. She has therefore adhered to the bond conditions by joining the college at Vellore. She now requires her certificates. The Writ petition has been filed for that particular relief.



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4. Let the respondents, particularly the first and second respondents obtain an undertaking that she would continue with her service at ESI Hospital at Vellore and after obtaining such undertaking, simultaneously return back the certificates to the petitioner herein. Let that exercise of mutual undertaking given by the petitioner and the handing over of the certificates by the respondents be completed on or before 31.01.2023. It is stated that the certificates are now with the possession of the third respondent. No further orders are required.

5. The Writ petition stands disposed of. Consequently, connected W.M.P.No. 34675 of 2022, is closed.

12.01.2023

Index: Yes/no
mrn



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C.V.KARTHIKEYAN, J.

(mrn)

To

1. The Principal Secretary,
The State of Tamil Nadu
Health and Family Department,
Secretariat, Chennai – 600 009.
2. The Directorate of Medical Education,
Represented by the Director of Medical Education,
Kilpauk, Chennai – 600 010.
3. The Dean,
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