



WEB COPY

W.P.Nos.6089, 6091 & 6093 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 28.03.2024

CORAM :

THE HONOURABLE DR.JUSTICE ANITA SUMANTH

W.P.Nos.6089, 6091 & 6093 of 2024

Dr.Danit E Jolly .. Petitioner in W.P.No.6089 of 2024

Dr.K.Sivanesan .. Petitioner in W.P.No.6091 of 2024

Dr.M.Antony Gnana Shahila .. Petitioner in W.P.No.6093 of 2024

VS

1.The State of Tamil Nadu

Rep. By its Principal Secretary,
Health and Family Welfare Department,
Secretariat, Chennai – 9.

2.Director of Medical Education,

Rep. By its Director of Medication Education,
Kilpauk, Chennai – 10.

3.Director of Medical and Rural Health Services,

Rep. By its Director of Medical Health and Rural Health Services,
No.359, Anna Salai, Chennai – 06.

4.Director of Public Health and Preventive Medicine,

Rep. By its Director of Public Health and Preventive Medicine,
No.359, Anna Salai, Chennai – 06.

.. Respondents in all W.P.'s

5.Government Coimbatore Medical College,

Rep. By its Dean,
Coimbatore – 641 018.

.. Respondent in W.P.No.6089 of 2024



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5. Government Mohan Kumaramangalam Medical College
and Hospital,

Rep. By its Dean,
Salem – 636 002.

.. Respondent in W.P.No.6091 of 2024

5. Madras Medical College,

Rep. By its Dean,
Chennai – 600 003

.. Respondent in W.P.No.6093 of 2024

Prayer in W.P.No.6089 of 2024: Petition filed under Article 226 of the Constitution of India praying to issue a writ of mandamus directing respondents to treat the petitioner's one-year bond period as completed and to consequently terminate the bond agreement as infructuous and to direct the 5th respondent to return her original certificates and documents collected during her Post-Graduate admission along with her Post-Graduate degree certificate, within a time limit to be stipulated by this Court.

Prayer in W.P.No.6091 of 2024: Petition filed under Article 226 of the Constitution of India praying to issue a writ of mandamus directing respondents to treat the petitioner's one-year bond period as completed and to consequently relieve him from his bonded service in the Government Hospital, Kalasapakkam, Tiruvannamalai District and to direct the 5th respondent to return her original certificates and documents collected during her Post-Graduate admission along with her Post-Graduate degree certificate, Transfer certificate and conduct certificate, within a time limit to be stipulated by this Court.



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Prayer in W.P.No.6093 of 2024: Petition filed under Article 226 of the Constitution of India praying to issue a writ of mandamus directing respondents to treat the petitioner's one-year bond period as completed and to consequently relieve him from his bonded service in the Government Hospital, Kilvelur, Nagapattinam District and to direct the 5th respondent to return her original certificates and documents collected during her Post-Graduate admission along with her Post-Graduate degree certificate, Transfer certificate and conduct certificate, within a time limit to be stipulated by this Court.

In all W.P.'s

For Petitioner : Ms.K.Dhivyashree

For Respondents : Mr.E.Sundaram
Government Advocate

COMMON ORDER

Notice was taken on 08.03.2024 and learned respondent counsel was directed to obtain instructions in these matters.

2. Today, a communication bearing Ref.No.016531/ME2/3/2024-NSPG dated 26.03.2024 is filed, wherein 34 candidates including the petitioners herein at reference Nos.1, 2 and 3 find mention.

3. The Deans of the concerned medical colleges have been asked to verify the status of the Covid duty rendered by the petitioners as per



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their records and return the certificates to the candidates thereafter. The communication has been marked to the concerned Deans as well.

4. Two petitioners, that is, Dr.Danit E Jolly (W.P.No.6089 of 2024) and Dr.M.Antony Gnana Shahila (W.P.No.6093 of 2024) have filed Covid duty certificates in terms of G.O.(Ms.)No.371 dated 13.11.2023 and G.O.(Ms.)No.278 dated 17.08.2023 respectively, to the effect that their Covid service for the period 10.10.2020 to 31.01.2022 (1 year, 3 months and 22 days) and March 2020 to April 2022 (2 years and 1 month) has been certified by their Deans.

5. In the case of the Dr.K.Sivanesan (petitioner in W.P.No.6091 of 2024), no Covid duty certificate has been filed. Hence, Covid duty certificate after verifying records will be issued to him within a week from date of receipt of a copy of this order.

6. All petitioners may approach the concerned Deans for return of their certificates, Dr.Danit E Jolly (W.P.No.6089 of 2024) and Dr.M.Antony Gnana Shahila (W.P.No.6093 of 2024) on the strength of the Covid duty certificates issued by their Deans and Dr.K.Sivanesan (W.P.No.6091 of 2024) on the strength of the Covid duty certificate to be issued to him, if his period of duty is found commensurate with the requirement under the applicable Circulars.



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7. As far as the procedure for being relieved from bond is concerned, the Court is given to understand that the process for relieving a candidate from bond will be initiated by the Deans of the respective colleges, all arrayed as respondents. The communication to aforesaid effect will be channelled through the office of the Directorate of Medical Education to the Director of Public Health and Preventive Medicine, who is the posting authority.

8. The Director of Public Health and Preventive Medicine will issue the relieving order and forward the same to both the Deans of the respective colleges, all arrayed as respondents, as well as the candidate concerned. This process should be completed within 15 working days from the date when the student collects the certificates from the Dean, as per the directions above.

9. Recording the aforesaid, these writ petitions stand closed. No costs.

28.03.2024

Index:Yes/No
Neutral Citation:Yes
mpl/ssm



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To

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DR. ANITA SUMANTH,J.

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