



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated: 27.03.2024

CORAM

THE HONOURABLE **DR. JUSTICE ANITA SUMANTH**

W.P.Nos.5999 & 6043 of 2024 and
W.M.P.Nos.6646 & 6686 of 2024

W.P.No.5999 of 2024

Dr.Bibhuti Bhusan Das

... Petitioner

vs

1.The State of Tamil Nadu

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

2.Directorate of Medical Education

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

3.Directorate of Medical and Rural Health Services,

Represented by the Director of Medical Health and
Rural Health Services,
359, Anna Salai, Chennai – 600 006.

4.Directorate of Public Health and Preventive Medicine

Represented by the Director of Public Health and
Preventive Medicine,
359, Anna Salai, Chennai – 600 006.

5.Government Thanjavur Medical College,

Represented by its Dean,
Thanjavur – 613 004.

... Respondents



PRAYER in W.P.No.5999 of 2024: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the Respondents to treat the Petitioner's two-year compulsory bond period as completed and to consequently direct 5th Respondent to return the Petitioner's original certificates and documents collected by the 5th Respondent while admitting the Petitioner to the super speciality degree course along with his super speciality degree certificate.

W.P.No.6043 of 2024

- 1.Dr.P.S.Kripal
- 2.Dr.Vinod Kumar T.
- 3.Dr.Vinoth D.
- 4.Dr.Manishkumar

... Petitioners

VS

- 1.The State of Tamil Nadu
Represented by its Principal Secretary,
Health and Family Welfare Department,
Secretariat, Chennai-600 009.
- 2.Directorate of Medical Education
Represented by the Director of Medical Education,
Kilpauk, Chennai-600 010.
- 3.Directorate of Medical and Rural Health Services,
Represented by the Director of Medical Health and
Rural Health Services,
359, Anna Salai, Chennai – 600 006.
- 4.Directorate of Public Health and Preventive Medicine
Represented by the Director of Public Health and
Preventive Medicine,
359, Anna Salai, Chennai – 600 006.
- 5.Government Coimbatore Medical College,
Represented by its Dean,



Avinashi Road, Coimbatore – 641 018.

... Respondents

PRAYER in W.P.No.6043 of 2024: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the Respondents to treat the Petitioners' two-year compulsory bond period as completed and to consequently direct the Respondent Nos.2 to 4 to relieve the Petitioners from bonded service, and to direct the 5th Respondent to return the Petitioners' original certificates and documents collected by the 5th Respondent while admitting the Petitioners to the super speciality degree course along with their super speciality degree certificates.

For Petitioners : Mr.Suhrith Parthasarathy
(in all writ petitions)

For Respondents : Mr.K.Tippu Sultan
Government Advocate
(in all writ petitions)

COMMON ORDER

Read this order in conjunction with and in continuation of order dated 11.03.2024 in WP.Nos.5999 of 2024 and 6043 of 2024, that reads as follows:

'WP.No.5999 of 2024:

The petitioner has made a representation before R5 seeking return of her original testimonials vide e-mail dated 26.09.2023. The petitioner is granted liberty to approach R2 along with a copy of representation dated 26.09.2023 forthwith.

2. Upon receipt of representation, R2 will call for the petitioner, seek necessary clarifications, if necessary, and pass orders on the representation, prior to the next date of hearing.

3. Needless to say, R2, in disposing the representation, will take note of all Government orders that have been issued in this matter as relevant to the petitioner which have been taken note of by this Court in series of orders passed in the recent past.



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4. List on 27.03.2024 at the end of admission list under the caption 'for production of orders'.
and

'WP.No.6043 of 2024:

WMP No.6685 of 2024 filed seeking permission to file a single Writ Petition is ordered on payment of separate Court fee.

2. The petitioners are at liberty to make a representation forthwith before the concerned authority, who, upon receipt of the same, will consider and pass orders in accordance with the Government Orders passed and in accordance with law, prior to the next date of hearing.

3. List on 27.03.2024 at the end of admission list under the caption 'for production of orders'.

2.Mr.Tippu Sultan, learned Government Advocate appearing for the respondents and assisted by Dr.C.S.Sripriya, Deputy Director of Medical Education & Research, Chennai produces a communication dated 27.03.2024 from the Deans of the Government Thanjavur Medical College and Government Coimbatore Medical College where the petitioners have undergone their PG courses respectively, to the effect that the covid duty of the petitioners have been verified and that the original certificates deposited by them could be collected back from the college offices. It is for the petitioners to now approach the Deans of the Government Thanjavur Medical College and Government Coimbatore Medical College respectively and obtain the certificates.

3.As far as the procedure for being relieved from bond is concerned, the Court is given to understand that the process for relieving a candidates from



bond will be initiated by the Deans of the Government Thanjavur Medical College and Government Coimbatore Medical College respectively. 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.

4.The Director of Public Health and Preventive Medicine will issue the relieving order and forward the same to the Deans of the Government Thanjavur Medical College and the Government Coimbatore Medical College respectively and the candidates concerned. This process should be completed, in all cases, within 15 working days from the date when the students collect the certificates from the respective Deans, as per paragraph 2 above.

5.Recording the aforesaid, procedure which shall be followed in all similar cases as well, both the writ petitions stand closed. No costs. Connected miscellaneous petitions are also closed.

27.03.2024

Index : Yes/No
Speaking Order
Neutral Citation:Yes
vs

To

1.The Principal Secretary,
Health and Family Welfare Department,



Secretariat, Chennai-600 009.

2.The Director of Medical Education,
Directorate of Medical Education
Kilpauk, Chennai-600 010.

3.The Director of Medical Health and Rural Health Services,
Directorate of Medical and Rural Health Services,
No.359, Anna Salai, Chennai – 600 006.

4.The Director of Public Health and Preventive Medicine,
Directorate of Public Health and Preventive Medicine
359, Anna Salai, Chennai – 600 006.

5.The Dean,
Government Thanjavur Medical College,
Thanjavur – 613 004.

6.The Dean,
Government Coimbatore Medical College,
Avinashi Road, Coimbatore – 641 018



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W.P.Nos.5999 & 6043 of.



DR.ANITA SUMANTH, J.

VS

W.P.Nos.5999 & 6043 of 2024 and
W.M.P.Nos.6646 & 6686 of 2024

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