



WEB COPY

W.P.Nos.7141 and 7146 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 20.03.2024

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THE HONOURABLE DR.JUSTICE ANITA SUMANTH

W.P.Nos.7141 and 7146 of 2024

Dr.Eslavathu Ramyalal

.... Petitioner in W.P.No.7141 of 2024

Dr.C.Sherlin Agnes

.... Petitioner in W.P.No.7146 of 2024

Vs

1.The State of Tamil Nadu

Represented by its Principal Secretary,
Health and Family Welfare Department,
Secretariat, Chennai - 9.

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 its Director of of Medical and
Rural Health Services,
359, Anna Salai, Chennai - 600 006.

4.Directorate of Public Health and Preventive Medicine,

Represented by its Director of Public Health and
Preventive Medicine,
359, Anna Salai, Chennai - 06.

.... Respondent in both W.Ps.



W.P.Nos.7141 and 7146 of 2024

5. K.A.P.Viswanatham Government Medical College,
represented by its Dean,
Tiruchirappalli – 620 001.

.... Respondent in W.P.No.7141 of 2024

5. Government Madurai Medical College,
represented by its Dean,
Madurai – 625 020.

.... Respondent in W.P.No.7146 of 2024

Common Prayer: Petitions filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the respondents to treat the petitioners' one year bond period and to consequently terminate their bond service in the Government Primary Health Centre, Kallapadi, Vellore Health Unit district (W.P.No.7141 of 2024) Government Primary Health Centre, Lalapet, Ranipet Health Unit District (W.P.No.7146 of 2024) and to direct the 5th respondent to return their original certificates and documents collected during their post graduate admission along with their post Graduate degree certificate, Transfer Certificate and conduct certificate.

In both W.Ps.

For Petitioner : Ms.K.Dhivyashree

For Respondents : Mr.K.Tippu Sultan
Government Advocate

COMMON ORDER

Mr.K.Tippu Sultan, learned Government Advocate accepts notice for the respondents and is armed with instructions to enable final disposal of these Writ Petitions, even at the stage of admission.



W.P.Nos.7141 and 7146 of 2024

2. The petitioners are doctors and they seek release from the bond service and return of their certificates, as according to the petitioners, the services rendered by them during covid period would more than suffice in order to facilitate the prayer sought. In addition, the petitioners rely on a series of Government orders as well.

3. Importantly, the same request has been made before the authorities by way of representation dated 29.02.2024 (Dr.Eslavathu Ramyalal - sent through registered post) and 02.03.2024 (Dr.C.Sherlin Agnes - sent through e-mail).

4. In the case of Dr.C.Sherlin Agnes (W.P.No.7146 of 2024), covid duty certificate has been issued in terms of G.O.Ms.No.371 dated 13.11.2023 to the effect that she has rendered covid duty during the post graduate period between 01.08.2020 and 04.05.2023. No covid duty certificate has been issued in the case of Dr.Eslavathu Ramyalal (W.P.No.7141 of 2024).

5. In such circumstances, it would suffice to direct the Director of Medical Education/R2 to consider the representations of the petitioners in light of the prevailing Government Orders as applicable to candidates who have completed their studies in 2023.



W.P.Nos.7141 and 7146 of 2024

6. For this purpose, the petitioners shall appear before R2 on any working day between 25.03.2024 and 05.04.2024 between 10.30 a.m. and 4.30 p.m. without awaiting any further notice in this regard.

7. R2 shall give audience to the petitioners, hear them and pass orders on their representation in accordance with law and all prevailing Government Orders, within a period of four (4) weeks from date of receipt of a copy of this order.

8. To be noted, that this Court has passed several orders in consideration of identically/similarly placed doctors and the ratio of those orders will be fully applicable to the facts and circumstances of the present cases as well.

9. These Writ Petitions are disposed as above. No costs.

20.03.2024

Index:Yes/No
Speaking order
Neutral Citation:Yes
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To

1.The State of Tamil Nadu
Represented by its Principal Secretary,
Health and Family Welfare Department,
Secretariat, Chennai - 9.



W.P.Nos.7141 and 7146 of 2024

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Represented by the Director of Medical Education,
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3. Directorate of Medical and Rural Health Services,
Represented by its Director of of Medical and
Rural Health Services,
359, Anna Salai, Chennai - 600 006.

4. Directorate of Public Health and Preventive Medicine,
Represented by its Director of Public Health and
Preventive Medicine,
359, Anna Salai, Chennai - 06.

5. K.A.P. Viswanatham Government Medical College,
represented by its Dean,
Tiruchirappalli – 620 001.

6. Government Madurai Medical College,
represented by its Dean,
Madurai – 625 020.



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W.P.Nos.7141 and 7146 of 2024

Dr.ANITA SUMANTH,J.

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W.P.Nos.7141 and 7146 of 2024

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