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W.P.Nos.7903 and 7906 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 22.03.2024

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THE HONOURABLE DR.JUSTICE ANITA SUMANTH

W.P.Nos.7903 and 7906 of 2024

Dr.C.Satheya

.... Petitioner in W.P.No.7903 of 2024

Dr.S.Sandhiya

.... Petitioner in W.P.No.7906 of 2024

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.

.... Respondents in the above W.Ps.

5. The Dean

Government Madurai Medical College



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Goripalayam, Madurai,
Pincode-625020.

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.... Respondent in W.P.No.7903 of 2024

5.The Dean

Government Kilpauk Medical College and Hospital
822, Poonamallee High Road, Kilpauk,
Chennai – 600010.

.... Respondent in W.P.No.7906 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 two-year compulsory bond period as completed, and to consequently relieve the petitioner from bonded service in Government Primary Health Centre, Thannerpandalpalayam, Namakkal HUD and to direct the 5th respondent to return all original certificates and documents collected by the 5th respondent while admitting the petitioner to the post graduate degree course along with post graduate degree certificate.

In both W.Ps.

For Petitioner : Mr.V.Kadhirvelu

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 this Writ Petition, even at the stage of admission.



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2. The petitioners are doctors and had completed their course in 2022. They seek release from bond service and return of the certificates that had been furnished by them at the time of their admission to the post graduate course. They claim that they had rendered covid duty service for a period of two years and in this regard, have produced supporting covid duty certificates issued in terms of G.O.(Ms.)No.371 dated 18.11.2023.

3. In addition, they rely on G.O.Ms.No.17 Health and Family Welfare (MCA-1) Department, dated 11.01.2024 to the effect that the bond period for Non Service Post Graduates (Degree/Diploma) who have completed their Post Graduate courses in the year 2022 will be reduced from two years to one year.

4. Fortunately, the petitioners have made representations before the authorities echoing the prayer that has been made in these Writ Petitions through e-mail on 08.03.2024 and 10.03.2024 respectively.

5. Hence, as the respondents are seized of the request of the petitioners and since the adjudication of their requests would entail appreciation of various facts, it would be appropriate that the matter is best left to the respondents to take appropriate action having regard to the relevant Government Orders, as detailed in the paragraphs supra.



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6. In such circumstances, it would suffice to direct the Director of Medical Education /R2 to consider the representation of the petitioners in light of the prevailing Government Orders as applicable to candidates who have completed their studies in 2022.

7. For this purpose, the petitioners shall appear before R2 on any working day between 01.04.2024 and 12.04.2024 between working hours without awaiting any further notice in this regard.

8. R2 shall give audience to the petitioners, hear them and dispose their representations in accordance with law and all prevailing Government Orders, within a period of two (2) weeks from date of appearance of the petitioners before him.

9. To be noted, that this Court has passed several orders in consideration of the prayers 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.

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

22.03.2024

Index:Yes/No
Speaking order
Neutral Citation:Yes
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Dr.ANITA SUMANTH,J.

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