



WEB COPY

W.P.No.7978 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.No.7978 of 2024

Dr.A.Kiruthika

.... Petitioner

Vs

- 1.The Government of Tamil Nadu
Represented by its Principal Secretary,
Health and Family Welfare Department,
Secretariat, Chennai - 600 009.
- 2.The Director of Medical Education and Research,
Kilpauk, Chennai - 600 010.
- 3.The Director of Public Health and Preventive Medicine,
Anna Salai, Chennai - 600 006.
4. The Deputy Director of Health Service, Ranipettai.
5. Government Vellore Medical College,
represented by its Dean,
Vellore.

.... Respondents

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 petitioner's compulsory bond period as completed and to consequently direct the respondents to relieve the petitioner from the



W.P.No.7978 of 2024

bonded service and to direct the 5th respondent to return all the original certificates and documents collected from the petitioner at the time of admission to M.D.(Anaesthesiology) course along with the PG Cegree Certificate, Transfer Certificate, Conduct Certificate, etc.

For Petitioner : Mr.Kandhan Duraisami
For Respondents : Mr.K.Tippu Sultan
Government Advocate

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.

2. The petitioner is a doctor and had completed her course in 2023. She seeks release from bond service and return of her certificates that have been furnished by her at the time of her admission to post graduate course. She claims that she had rendered covid duty between 25.06.2020 and 31.03.2022 and in this regard, has produced covid duty certificate.

3. In addition, she relies on G.O.Ms.No.351 Health and Family Welfare (MCA-1) Department dated 27.10.2023 to the effect that the bond period for Non Service Post Graduates (Degree/Diploma) who have completed their Post Graduate courses in the year 2023 will be reduced from two years to one year.

4. Fortunately, the petitioner has made a representation before the



W.P.No.7978 of 2024

authorities echoing the prayer that has been made in this Writ Petition on 15.03.2024.

5. Hence, as the respondents are seized of the request of the petitioner and since the adjudication of the request 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.

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

7. For this purpose, the petitioner shall appear before R2 on any working day between 25.03.2024 and 12.04.2024 between working hours without awaiting any further notice in this regard.

8. R2 shall give audience to the petitioner, hear her and pass orders on her representation in accordance with law and all prevailing Government Orders, within a period of two (2) weeks from date of receipt of a copy of this order.



W.P.No.7978 of 2024

Dr.ANITA SUMANTH,J.

WEB COPY 9. 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 case as well.

10. This Writ Petition is disposed as above. No costs.

22.03.2024

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

- 1.The Government of Tamil Nadu
Represented by its Principal Secretary,
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W.P.No.7978 of 2024