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W.P.Nos.15866, 15867, 15869,
15871, 15873 & 15875 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 19.06.2024

CORAM

THE HONOURABLE MR.JUSTICE G.K.ILANTHIRAIYAN

W.P.Nos.15866, 15867, 15869, 15871, 15873 & 15875 of 2024

W.P.No.15866 of 2024

Gajendra Anuragi

.... Petitioner

Vs

1. The State of Tamil Nadu,
Represented by its Principal Secretary,
Health and Family Welfare Department,
Secretariat, Fort St George,
Chennai – 600 009.

2. Directorate of Medical Education,
Represented by the Deputy Director
of Medical Education,
Kilpauk, Chennai – 600 010.

3. The Registrar,
The Tamil Nadu Dr.M.G.R.Medical University,
69, Anna Salai,
Guindy, Chennai – 600 032.

4. The Dean,
Madras Medical College,
Chennai – 600 010.

.... Respondents

Prayer:- Writ Petition filed under Article 226 of Constitution of India for



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the issuance of Writ of Mandamus, directing the second and fourth respondents to return the original certificates submitted by the petitioner during the time of his admission to the Mch Surgical Gastroenterology in the fourth respondent institution.

For Petitioner : Mr.S.Dinuprashanth

For R1, R2 & R4 : Mr.K.Tippu Sultan
Government Advocate

For R3 : Mr.A.Md.Ghouse
Standing Counsel

COMMON ORDER

These writ petitions have been filed for a direction directing the 2nd and 4th respondents to release the original documents submitted by the petitioners during the time of their admission to their respective course in the fourth respondent.

2. Heard the learned counsel appearing on either side and perused the materials available on record.

3. The petitioners herein had qualified with MBBS degree from their respective colleges. After completion of post graduation degree, they were offered a super-speciality seat in the fourth respondent



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College to pursue their respective courses. At the time of joining the course, they had submitted their original certificates and they had executed bond, wherein they had undertaken to serve the Government Hospital for a period of two years. After completion of their course, they were not offered with any posting in the Government Hospital and the original documents were not released by the fourth respondent. Therefore, the petitioners approached the respondents and requested to offer posting in the concerned speciality course. However, there was no vacancy in the Government Hospital and as such, the petitioners were not posted anywhere till now. The period of bond also expired. According to the petitioners, on completion of bond period, the original documents, which were retained by the fourth respondent, were not returned and as such, the petitioners were not able to secure any job. As a result of which, the petitioners livelihood itself is affected.

4. In this regard, it is pertinent to note that in similar situation, this Court had already issued directions in W.P.No.26556 of 2022 dated 02.02.2023 and in W.P.No.22894 of 2023 dated 09.08.2023, wherein, it was held that the period during which the student has been



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prosecuting his post-graduation or a super speciality course must be given credit against the bond period. Inasmuch as the student has served nearly six months, the entire bond period has already expired. In other words, the student is discharged of any obligation to serve in terms of the bond that he had executed.

5. Following the same, the fourth respondent is hereby directed to return all the original certificates submitted by the petitioners at the time of their admission to their super-speciality course, forthwith.

6. With the above directions, all the writ petitions stand allowed.

19.06.2024

Internet : Yes
Index : Yes/No
Speaking/Non-speaking order
Neutral Citation : Yes/No
Lpp

To



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G.K.ILANTHIRAIYAN, J.

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