



W.P.No.23671 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 20.08.2024

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.No.23671 of 2024

Dr.P.Megapriya

... Petitioner

Vs.

1. The State of Tamil Nadu,
Rep.by its Principal Secretary,
Health and Family Welfare Department,
Secretariat, Chennai-600 009.
- 2.The Directorate of Medical Education,
Rep.by the Director of Medical Education,
Kilpauk, Chennai-600 010.
- 3.The 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.The Directorate of Public Health and Preventive Medicine,
Represented by the Director of Public Health and Preventive Medicine,
359, Anna Salai, Chennai-600 006.



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5. The Dean,
Thanjavur Medical College and Hospital,
Medical College Road,
Thanjavur,
Tamil Nadu-613 004.

... Respondents

PRAYER : Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus to direct the respondents to release the Canara Bank Guarantee No:S02GPGE230095001, for a sum of Rs.40,00,000/- dated 09.01.2023, collected by the fifth respondent while receiving back the original certificates by the petitioner to pursue NEET Super Specialty course.

For Petitioner : Mr.V.Kadhirvelu

For Respondents : Ms.M.Sneha
Special Counsel

ORDER

This Writ Petition has been filed to direct the respondents to release the Canara Bank Guarantee No:S02GPGE230095001, for a sum of Rs.40,00,000/- dated 09.01.2023, collected by the fifth respondent while receiving back the original Certificates by the petitioner to pursue NEET Super Specialty course.



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2. The case of the petitioner is that the petitioner is a Doctor and joined post-graduation in Degree of M.S.Obstetrics and Gynecology, in Thanjavur Medical College and Hospital, Thanjavur, on 01.05.2009 and completed the said course on 02.05.2022. While joining the PG Course, the petitioner, being a non-service doctor, was required to execute a bond for a sum of Rs.40,00,000/- with an undertaking that she would work for the Government for a period of two years after completing the course, if the Government requires her services. Thereafter, she has been selected as DNBSS Gynecological Oncology Super Specialty Course under all India Quota and therefore, she was relieved from Government bond duty from 10.01.2023 and the petitioner had to submit the original Certificates before the NEET Super Specialty Exams for joining the said Course. Hence, she requested the respondents to return back her original certificates, however, the third respondent refused to return the original certificates and compelled the petitioner to produce the bank surety for a sum of Rs.40,00,000/-. The learned counsel would further submit that with regard difficulty, she has



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borrowed huge amount of Rs.40,00,000/- from the third parties for interest and submitted the Canara Bank Guarantee No:S02GPGE230095001, for a sum of Rs.40,00,000/- dated 09.01.2023 before the fifth respondent. Thereafter, the respondents have not released the said bank guarantee to the petitioner, for which, the petitioner has made a representation dated 30.07.2024, however, the same has not been considered so far. Therefore, the petitioner has filed the present writ petition with the aforesaid prayer.

3. The learned counsel appearing for the petitioner would submit that it would suffice, if the respondents are directed to dispose of the representation of the petitioner, dated 30.07.2024, on merits and in accordance with law, within a specified period.

4. The learned counsel appearing for the respondents has no serious objection for such an order being passed by this Court.



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5. Considering the limited request made by the learned counsel for the petitioner, this Court, without going into the merits of the matter, directs the respondents to consider the representation of the petitioner, dated 30.07.2024 and pass appropriate orders, on merits and in accordance with law, within a period of four weeks from the date of receipt of a copy of this order.

6. With the above direction, this Writ Petition is disposed of. No costs.

20.08.2024

NCC: Yes / No
Index : Yes / No
Speaking Order : Yes / No
ssb

Note: Issue order copy on **20.08.2024**



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To

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M.DHANDAPANI, J.

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