



W.P(MD)No.6101 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 21.03.2024

CORAM

THE HONOURABLE MRS.JUSTICE L.VICTORIA GOWRI

W.P(MD)No.6101 of 2024

P.Selvaraj

... Petitioner

Vs.

**1.The Director of Medical Education and
Research Center,
Kilpauk, Chennai-600 010.**

**2.The Director of Public Health and
Preventive Medicine,
Chennai-600 006.**

**3.The Dean,
Medical College of Madurai,
Madurai-625 020.**

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the 3rd respondent herein to release / return the petitioner's Original Certificates, which are retained by the 3rd respondent, during continuity transfer of the petitioner, dated 03.10.2018, within a specific time limit as specified by this Court.

For Petitioner : Mr.B.Sargunam



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For Respondents : Mr.S.Shaji Bino
Special Government Pleader

ORDER

The present writ petition has been filed seeking direction to the 3rd respondent herein to release / return the petitioner's Original Certificates, which are retained by the 3rd respondent, during continuity transfer of the petitioner, dated 03.10.2018, within a specific time limit as specified by this Court.

2. The petitioner is an Allopathic doctor qualified in M.D., (Pediatrics) and D.M (Neonatology). He served in Tamil Nadu Government Medical College, Thiruvarur for 1 year and 3 months as Assistant Professor of Pediatrics. He was relieved from Government Medical College, Thiruvarur in July 2013 for a super specialty course. He completed his D.M (Neonatology) in 2016, as a non-service candidate. His original certificates were given to him after completion of the said course and he rejoined Government service in October 2016 after his D.M., course. He resubmitted all his original certificates to the 3rd respondent while he rejoined Government service. The same is extracted hereunder:

1. 10th Standard Certificate



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2. M.B.B.S Degree Certificate
3. M D Degree Certificate
4. M.B.B.S Registration Certificate
5. M.D Registration Certificate
6. D.M Registration Certificate
7. Community Certificate
8. Compulsory Rotaroty Residential Internship (C.R.R.I) Certificate

3. He further worked in Government Medical College, Tirunelveli for 1 year and 11 months as Assistant Professor of Neonatology. While so, he was transferred to the 3rd respondent Medical College in October 2018. He worked in the 3rd respondent Medical College for 10 months as Assistant Professor of Neonatology and thereafter, in August 2019, he submitted his resignation letter and the same was accepted. However, the 3rd respondent has retained the original certificates mentioned supra so far and has not handed over the same to the petitioner. Hence, this writ petition came to be filed.

4. The learned Special Government Pleader appearing for the respondents on written instructions submitted that while the petitioner was in



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service of Assistant Professor during the period 01.08.2019 – 15.08.2019, by submitting medical leave for 15 days, without sanction of the respondent authority, he absented himself from duty. However, he had received the full salary for the said month. In view of the same, his documents in original could be returned in full, subject to the repayment of Rs.69,502/-, which he had received during August 2019.

5. The learned counsel for the petitioner submitted that the said amount would be paid by the petitioner.

6. Recording the same, this Court hereby direct the petitioner to forthwith pay an amount of Rs.69,502/- to the 3rd respondent and the 3rd respondent, on receipt of the same, is directed to hand over the complete original certificates which are extracted hereunder to the petitioner within a period of two (2) weeks thereafter.

1. 10th Standard Certificate
2. M.B.B.S Degree Certificate
3. M D Degree Certificate
4. M.B.B.S Registration Certificate



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5. M.D Registration Certificate

6. D.M Registration Certificate

7. Community Certificate

8. Compulsory Rotaroty Residential Internship (C.R.R.I) Certificate

7. With the above said observations, this Writ Petition stands disposed
of. No costs.

21.03.2024

NCC : Yes / No
Index : Yes / No
Internet : Yes

Note : Issue order copy on 22.03.2024.

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To

1.The Director of Medical Education and
Research Center,
Kilpauk, Chennai-600 010.

2.The Director of Public Health and
Preventive Medicine,
Chennai-600 006.

3.The Dean,
Medical College of Madurai,
Madurai-625 020.



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L.VICTORIA GOWRI, J.

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