



W.P.(MD)No.23404 of 2017

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 17.12.2024

CORAM

THE HONOURABLE MR.JUSTICE K.KUMARESH BABU

W.P.(MD)No.23404 of 2017

and

W.M.P.(MD)Nos.19677 and 19678 of 2017

Dr.Alex Mathew

...Petitioner

Vs

1.The State of Tamil Nadu,
Represented by its Secretary,
Health and Family Welfare Department,
Fort St.George,
Chennai – 09.

2.The Director of Medical Education,
Directorate of Medical Education,
Kilpauk,
Chennai – 10.

3.The Director of Public Health and Preventive Medicine,
Directorate of Public Health and Preventive Medicine,
Egmore, Chennai – 18.

4.The Dean,
Tirunelveli Medical College,
Tirunelveli – 11.

5.The President,
The Medical Council of India,
Sector-8, Pocket-14, Dwaraka-1,
New Delhi – 110 077.

... Respondents



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Prayer: Writ Petition filed under Article 226 of the Constitution of India praying this Court to issue a Writ of Certiorarified Mandamus, to call for the records of the fourth respondent in his proceedings No: Ref No: 2859/ME3/2017 dated 05.12.2017, quash the same, consequently direct the respondents to declare the bond executed by the petitioner is invalid and return the same to the petitioner, in the light of the judgment in W.P.No.12923/2008 dated 12.12.2008.

For Petitioner : Mr.S.M.Mohan Gandhi

For R-1 to R-4 : Mr.V.Om Prakash
Government Advocate

For R-5 : M/s.Shubharanjani Ananth

ORDER

Heard the learned counsels on either side.

2. This Writ Petition had been filed challenging the order passed by the fourth respondent with a consequential direction to direct the respondents to declare the bond executed by the petitioner is invalid and return the same to the petitioner, in the light of the judgment in W.P.No. 12923/2008 dated 12.12.2008.



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3. When the matter was taken up for hearing, the learned Government Advocate appearing for the respondents 1 to 4 relying upon the judgments of the Division Bench of this Court made in W.A.No.2796 and 2801 of 2024 dated 20.11.2024 had submitted that the said issue is no longer *res integra*, as Division Bench of this Court has held that the petitioners (Doctors) who were directed to adhere to the bond conditions have to serve compulsorily in the Government Medical Colleges and Hospitals as per the appointment order for the specified period.

4. I have also perused the said judgment and am of the view that it is squarely applicable to the facts of the present case.

5. In view of the judgment of the Hon'ble Division Bench of this Court stated *supra*, the Writ Petition stands dismissed. There shall be no order as to costs. Consequently, connected miscellaneous petitions are closed.

17.12.2024

NCC:yes/no
Index:yes/no
Internet:yes/no
Nsr



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WEB COPY

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K.KUMARESH BABU, J.

Nsr

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