



WEB COPY



WP No. 2000 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 20-03-2025

CORAM

THE HONOURABLE MRS JUSTICE N. MALA

WP No. 2000 of 2025

S.Rakesh Reddy

...Petitioner

Versus

1.The State of Tamil Nadu

Represented by its Principal Secretary

Health and Family Welfare Department

Secretariat, Chennai – 600 009.

2.The Directorate of Medical Education and Research

Represented by the Director of Medical Education

Kilpauk, Chennai-600 010.

3.The Directorate of Public Health and Preventive Medicine,

Represented by its Director of Public Health and
Preventive Medicine, 359, Anna Salai,

Chennai-600 006.

4.The Dean

The Institute of obstetrics and Gynaecology and

Government Hospital for Women and Children

Pantheon Road, Egmore, Chennai, Tamil Nadu-600
008.

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5.The Chengalpattu Medical College Hospital

Represented by its Dean

Chengalpattu District.

...Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India, praying for the issuance of Writ of Mandamus directing the Respondent Nos.1 to 5 to consider the representation and pass order expeditiously stipulated by this Court and also to direct the respondents to return all the petitioner's original certificates immediately within a time frame to be fixed by this Court.

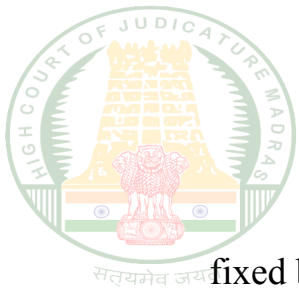
For Petitioner : Mr.R.Raghaev

For Respondents : Mrs.M.Sneha

ORDER

The writ petition is filed for the issuance of Writ of Mandamus, directing the respondents to consider the representation of the petitioner and for consequential direction to the respondents to return all the petitioner's original certificates immediately within a time frame to be

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fixed by this Court.

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2. The petitioner pursued and completed his post graduate (super speciality course) DM Neonatology, in the Government Medical College, Chengalpattu, on 08.09.2022. After completion of the course, the petitioner as a non-service post graduate candidate had to serve the Government, for 2 years as per Bond Conditions. However, the petitioner did not receive any posting orders, even after two years, from the date of the completion of the super speciality course. He approached the 5th respondent/College to return his original certificates, which were submitted by him at the time of counselling. The petitioner further stated that though it was alleged that a posting order was issued to him on 21.10.2023, by the 3rd respondent, in fact, no such posting order was even received by him. According to the petitioner, the said posting order was sent to the college address that too, long after he completed the super



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speciality course, in September, 2022. The petitioner further stated that he did not receive any posting order dated 21.10.2023, to his permanent address, even though the respondents had knowledge of his permanent address. The petitioner stated that he came to know about the posting order only on 08.10.2024, when he approached the 5th respondent, for return of his original certificates. The petitioner stated that though he expressed his willingness to serve for the remaining period as per the posting order dated 21.10.2023, vide his representation dated 17.12.2024, no action was taken by the 3rd respondent, and therefore, the petitioner left with no other remedy filed the present writ petition for the aforesaid relief.

3. The learned Counsel for the petitioner submitted that the petitioner completed the super speciality course from Government Medical College, Chengalpattu, on 08.09.2022. The petitioner was



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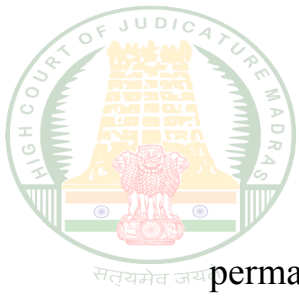
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willing to serve and complete his bond service, but no posting orders were issued to him. The Counsel submitted that, only when the petitioner approached the 5th respondent, for return of his original certificates, he came to know that the posting order was issued on 21.10.2023, to the College address and that too long after he completed the Course. The Counsel hence prayed that the writ petition be allowed.

4. Heard both sides and perused the records.

5. The respondents claim to have issued the posting order on 21.10.2023, to the petitioner. The petitioner states that the posting order was addressed to the college address, long after he completed the course and left the College. The petitioner completed his course on 08.09.2022, and one year thereafter, the posting order dated 21.10.2023, was sent to his college address. Indisputably the respondents had knowledge of the

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permanent address of the petitioner, but for reasons best known to them, they chose to send the posting order to the College address, that too after the petitioner left the College on completion of the course. Further, it is not the case of the respondents that they sent the posting order to the petitioner's permanent address. I therefore completely agree with the petitioner that he did not receive the posting order.

6. At this juncture, it would be relevant to note here the Division Bench Judgment of this Court in W.P.No. 799 of 2019 batch etc. The Hon'ble Division Bench of this Court in its order dated 06.10.2020, in the said batch of cases categorically held that, the period of applicability of the conditions attached to the bond were coterminus with the bond period of 2 years, from the date a candidate successfully passed out the course. The Court also held that the candidates who were not offered appointment within the 2 years, period were entitled to return of



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their certificates.

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7. In the present case, the petitioner completed the super speciality course in Neonatology from the 5th respondent/College on 08.09.2022. This Court on facts has found that the petitioner was not issued the posting order within the bond period. Therefore, in my view the petitioner is entitled to return of his certificates.

8. In the light of the above discussions, I am inclined to direct the respondents to return the petitioner's original certificates within a period of 2 weeks from the date of receipt of a copy of this order.



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9. Accordingly, the Writ Petition is allowed. There shall be no order as to costs.

20.03.2025

Internet : Yes/No

Speaking Order : Yes/No

MSM

To

1.The State of Tamil Nadu

Represented by its Principal Secretary

Health and Family Welfare Department

Secretariat, Chennai – 600 009.

2.The Directorate of Medical Education and Research

Represented by the Director of Medical Education

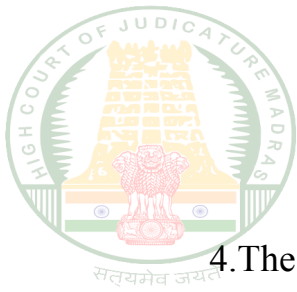
Kilpauk, Chennai-600 010.

3.The Directorate of Public Health and Preventive Medicine,

Represented by its Director of Public Health and Preventive Medicine, 359, Anna Salai,

Chennai-600 006.

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4.The Dean

The Institute of obstetrics and Gynaecology and
Government Hospital for Women and Children
Pantheon Road, Egmore, Chennai.
Tamil Nadu-600 008.

5.The Chengalpattu Medical College Hospital
Represented by its Dean
Chengalpattu District.



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N. MALA, J.,

MSM

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