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WP No. 5223 of 2024



DATED: 17-04-2025

CORAM

THE HONOURABLE MRS JUSTICE N. MALA

**WP No. 5223 of 2024
and WMP.No.5738 of 2024**

1. Dr.Sandeep Kumar Reddy G.
D.No.41/101-c 36, Vinayaka Street,
Rayachoty, Andhra Pradesh.

Petitioner(s)

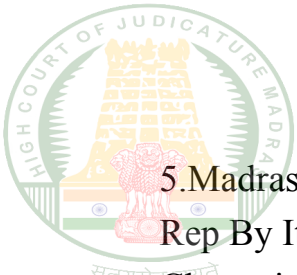
Vs

1. The State Of Tamil Nadu
Rep. By Its Principal Secretary, Health
And Family Welfare Department,
Secretariat, Chennai-600 009.

2.Directorate Of Medical Education
Rep. By The Director Of Medical
Education, Kilpauk, Chennai-600 010.

3.Directorate Of Medical And Rural
Health Services
Rep. By The Director Of Medical
Health And Rural Health Services, 359,
Anna Salai, Chennai-600 006.

4.Directorate Of Public Health And
Preventive Medicine
Rep. By The Director Of Public Health
And Preventive Medicine, 359,
Anna Salai, Chennai-600 006.



5.Madras Medical College
Rep By Its Dean, E.V.R. Salai,
Chennai-03.

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Respondent(s)

PRAYER

Writ Petition is filed under Article 226 of the Constitution of India, pleaded to issue a Writ of Mandamus, directing the respondents to treat the petitioners two year compulsory bond period as completed, and to consequently direct the 5th Respondent to return the Petitioners Original Certificates and Documents collected by the 5th Respondent while admitting the petitioner to the Super Specialty degree course along with his super specialty degree Certificates.

For Petitioner(s): Amritha Sathyajith

For Respondent(s): Mrs.M.Sneha Special Counsel

ORDER

This Writ Petition is filed to direct the respondents to treat the petitioners two year compulsory bond period as completed, and to consequently direct the 5th Respondent, to return the Petitioners Original Certificates and Documents collected by the 5th Respondent, while admitting the petitioner to the Super Specialty degree course, along with his super specialty degree Certificates.



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2. The petitioner, a Doctor, secured admission to Super Specialty Course in the fifth respondent College. Being a non-service Doctor, the petitioner was obligated to execute a bond for a sum of Rs.50,00,000/- with an undertaking that he would serve the Government, for a period of two years on completion of the course. Pursuant to the completion of the degree, the petitioner attended the counselling conducted by the respondents on 23.01.2024, but did not opt for posting. The petitioner was under the bonafide impression that the postings offered during the counselling were for a tenure of one year and eleven months and as numerous similarly placed Doctors, who had completed their Super Specialty and Post Graduate Courses, were granted relief by the Hon'ble High Court, exempting them from bond service, in view of the services rendered by them during the COVID-19 period, including during the course of their academic study, the petitioner's COVID-19 duty would also be duly adjusted towards the total period of bond service mandated. The petitioner avers that he rendered uninterrupted COVID duty from January 2021 to July 2022 and was issued a certificate in confirmation thereof. Subsequently the petitioner was



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selected and offered the post of Assistant Professor in Medical Gastroenterology at the State Cancer Institute, Kurnool, in accordance with proceedings dated 07.02.2024. The petitioner was required to report and join duty at the State Cancer Institute, Kurnool by submitting his original certificates and documents to the Head of the said Institute. Despite the petitioner's previous COVID service, the respondents declined to return his original certificates and documents, citing that the compulsory bond period was not yet completed. The petitioner left with no other alternate remedy was constrained to file the above writ petition for the aforesaid relief.

3.I have heard both the learned counsels and I have perused the materials placed on record.

4.Admittedly the petitioner completed the Super Specialty Course in DM, Medical Gastroenterology from the 5th respondent College as early as on January 2024. After the completion of the said course, the petitioner was not offered any posting by the Government. Though the original Bond service was for a period of 2 years the same was reduced to one year by the Government, in



G.O.(Ms).No.49, Health and Family Welfare (MCA-1) Department, dated 28.02.2024. Even after the reduction of the period of bond service, the

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respondents did not issue any compulsory posting order. Hence the petitioner approached the respondents to return his original certificates and documents, but the same was refused by the respondents. It is seen that the petitioner served for more than 1 ½ years during the COVID period, while undergoing the Super Specialty Course and whereas similarly placed Doctors were relieved from the bond service, in view of the services rendered by them during the COVID period, the petitioner was not extended the same benefit.

5.Be that as it may, the Hon'ble Division Bench of this Court in the case of *State of Tamil Nadu Vs. P.S.Sriram and Ors., (W.A.No.799 of 2019, etc.)* held that bond obligation was co-terminus with the prescribed service period and could not be extended beyond it. Admittedly the petitioner completed the course in January 2024, and as per the bond conditions, the one year period already lapsed and therefore, I am inclined to issue the mandamus prayed for.

6.The fifth respondent is directed to return the petitioner's original



certificates and documents along with his Super Specialty Degree Certificate,
within a period of four weeks from the date of receipt of a copy of this order.

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7. Accordingly, this writ petition is allowed. However, there shall be no
order as to costs. Consequently, the connected miscellaneous petition is closed.

17-04-2025

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Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No



To
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N.MALA J.

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