



W.P.No.8961 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

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Dated: 28.03.2025

Coram:

THE HONOURABLE MRS.JUSTICE N.MALA

W.P.No.8961 of 2025

and

WMP.No.10063 of 2025

Dr. B.Shivasangari

... Petitioner

Vs.

1. The State of Tamil Nadu,
Represented by its Principal Secretary,
Health and Family Welfare Department,
Secretariat, Chennai- 600 009.

2. Directorate of Medical Education,
Represented by the Director of Medical Education,
Kilpauk, Chennai- 600 010.

3. 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. 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.Madras Medical College,
Represented by its Dean,
E.V.R. Salai, Chennai- 600 003.

... Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the Respondents to treat the Petitioner's bond period as completed and consequently, direct the 5th Respondent to return the Petitioner's original certificates and documents collected by the 5th Respondent while admitting the Petitioner to the post graduate degree course along with her Post Graduate degree certificate.

For Petitioner : M/s.Suhrith Parthasarathy

For Respondents : Mrs.M.Sneha,
Special Counsel

ORDER

Writ petition is filed for issuance of a writ of mandamus directing the respondents to treat the petitioner's bond period as completed, consequently direct the 5th respondent to return the petitioner's original certificates and documents along with the post graduate degree certificate within the time frame fixed by this court.

2. The petitioner joined the post-graduate course in the MD Biochemistry in June 2020 in the 5th respondent college. As a non service doctor, the petitioner executed a bond, obligating to serve the Government for two years, on completion of the post-graduation. The petitioner also submitted the original educational



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certificates at the time of admission. The petitioner completed her three year post-graduate course in June 2023. While so, the Government issued G.O.(Ms).No. 351, Health and Family Welfare (MCA-1) Department, dated 27.10.2023, reducing the two years bond period to one year for the doctors completing their post-graduate course in 2023. The petitioner's bond period stood completed in June 2024 and thereafter, on 09.07.2024, the petitioner was issued posting orders. As the posting orders were issued well beyond the bond period, the petitioner requested the 5th respondent to return her original certificates. As there was no response, the petitioner filed the above writ petition for the aforesaid relief.

3. Admittedly, the petitioner completed her post-graduation in June 2023. The petitioner's bond period which was originally for a period of two years was reduced to one year by the Government vide G.O.(Ms).No. 351, Health and Family Welfare (MCA-1) Department, dated 27.10.2023. Though the petitioner was called for counselling on 04.10.2023, due to personal reasons, she was not able to attend the counselling. However, the respondent did not issue any compulsory posting order. Thereafter, only on 09.07.2024, the respondent issued the petitioner posting orders posting her, at Government Tiruvallur Medical



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College, for a period of one year. As the posting order was issued beyond the bond period, the petitioner filed the above writ petition for the aforesaid relief.

4. The Hon'ble Division Bench of this court in the case of *State of Tamil Nadu vs. P.S.Sairam and ors.*, (W.A.No.799 of 2019, etc.) held that bond obligations were co-terminous with the prescribed service period and could not be extended beyond it. As the posting order dated 09.07.2024, is beyond the bond period, I am inclined to issue the mandamus prayed for.

5. The 5th respondent is directed to return the petitioners original certificates and documents along with her post-graduate degree certificates within a period of four (4) weeks from the date of receipt of a copy of this order.

Writ Petition is accordingly allowed. However, there shall be no order as to costs. Consequently, connected writ miscellaneous petition is closed.

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Index: Yes/No

Neutral Citation: Yes/No

Speaking order: Yes/No

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1. The Principal Secretary,
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Secretariat, Chennai- 600 009.
- 2.The Director of Medical Education,
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- 3.The Director of Medical Health and Rural Health Services,
Directorate of Medical and Rural Health Services,
359, Anna Salai, Chennai- 600 006.
- 4.The Director of Public Health and Preventive Medicine,
Directorate of Public Health and Preventive Medicine,
359, Anna Salai, Chennai- 600 006.
- 5.The Dean,
Madras Medical College,
E.V.R. Salai, Chennai- 600 003.



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N.MALA,J.

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