



W.P.No.10819 of 2025

WEB COPY IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 03-04-2025

CORAM

THE HONOURABLE Mrs. JUSTICE N.MALA

W.P.No.10819 of 2025

Dr.Vidya Ramdas

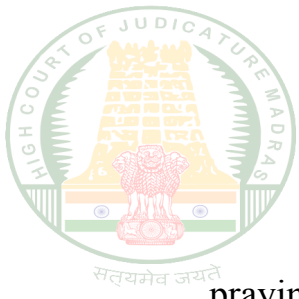
... Petitioner

VS

1. The Principal Secretary to the Government,
Health and Family Welfare Department,
Government of Tamil Nadu,
Fort St. George, Chennai 600 009.
2. The Director of Medical Education,
Directorate of Medical Education,
Poonamallee High Road,
Kilpauk, Chennai 600 010.
3. The Registrar,
Dr.M.G.R. Medical University,
No.69, Anna Salai,
Guindy, Chennai 600 032.
4. The Dean,
Madras Medical College,
Poonamallee High Road,
Park Town, Chennai 600 003.

... Respondents

Writ Petition filed under Article 226 of the Constitution of India



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praying this Court to issue Writ of Mandamus directing the respondents to consider the representation of the petitioner dated 08.03.2025 and to return all the Original Certificates of the petitioner, which were produced by the petitioner to the respondents at the time of her joining in Post Graduate Higher Specialty Qualification of Master of Chirurgiae (M.Ch.-Urology) Course in August 2017 at Madras Medical College, Chennai, the 4th respondent and pass orders within a reasonable time fixed by this Court.

For petitioner :Mr.M.Ramamoorthi
For respondents :Mrs.M.Sneha, Spl. Panel Counsel
-for R1, R2 and R4

:
:Mr.A.Mohamed Gouse - for Re3

ORDER

The petitioner has filed the present writ petition seeking for issuance of a writ of Mandamus directing the respondents to consider the representation of the petitioner dated 08.03.2025, and to return all the Original Certificates of the petitioner, which were produced by the petitioner to the respondents at the time of her joining the Post Graduate Higher Specialty Qualification of Master of Chirurgiae (M.Ch.-Urology)



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Course in August 2017, at Madras Medical College, Chennai,
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2. The petitioner after completing M.B.B.S degree in April, 2015 joined Post Graduate Diploma in OTO-RHINO-LARYNGOLOGY (DLO) which is a two year diploma course at Madras Medical College, Chennai, in 2018. The petitioner completed the said course in May, 2020 and also obtained the Provisional PG Diploma Certificate from Dr.M.G.R.Medical University, on 01.10.2020.

3. As a Non-Service Post Graduate (Higher Specialty) candidate of the year 2020, the petitioner was required to sign an Agreement Bond, at the time of joining the course, agreeing to serve for a period of two years, in the Government Hospitals/Institutions of the Government of Tamil Nadu.

4. The petitioner completed the course in May 2020, and even after a lapse of two years, the respondents did not issue posting orders to the petitioner. As the respondents did not issue the posting orders within two



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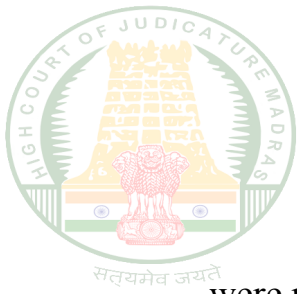
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years of completion of the course, the bond period lapsed and therefore, the petitioner submitted a representation on 08.03.2025, to the respondents for return of her original certificates. Since no action was taken by the respondents, the petitioner filed the present writ petition.

5. Learned counsel for the petitioner submits that the Division Bench of this Court in W.A.No.799 of 2021 dated 06.10.2022, held that the bond service was coterminous with the bond period of two years. The counsel further submitted that as the respondents did not issue the posting orders within the two year period, the bond lapsed and hence the petitioner was entitled for the return of her certificate.

6. Heard both the learned counsels and perused the records.

7. Though the petitioner completed her Post Graduate Diploma in OTO-RHINO-LARYNGOLOGY (DLO) in May 2020, the respondents did not issue posting orders within the period of two years as stipulated in the bond and so, the bond lapsed. As the bond lapsed, the respondents



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were not entitled to withhold the original certificates of the petitioner.

8. The issue is no longer *res-integra*. The Hon'ble Division Bench of this Court in W.A.No.799 of 2021 dated 06.10.2022 held as follows;

“.....

....

vi. The period of applicability of the conditions under the bond will be co-terminus with the period of two years from the date a candidate successfully passes out the course, as explained above, and would not continue beyond the same.

vii. The candidates who have not been offered appointment within the period of two years would be entitled to release of their certificates accordingly.”

9. Under the facts and circumstances of the case and in the light of the aforesaid Division Bench judgment, I find merit in the writ petition and hence the same is allowed. The respondents are directed to return the original certificates of the petitioner within a period of four weeks from the date of receipt of a copy of this order. No costs.

03.04.2025

sr

Index:yes/no

Internet :yes/no

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- To
1. The Principal Secretary to the Government,
Health and Family Welfare Department,
Government of Tamil Nadu,
Fort St. George, Chennai 600 009.



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N.MALA,J.

Sr/ak

2. The Director of Medical Education,
Directorate of Medical Education,
Poonamallee High Road,
Kilpauk, Chennai 600 010.
3. The Registrar,
Dr.M.G.R. Medical University,
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