



W.P.No.12179 of 2025

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 16.04.2025

CORAM:

THE HONOURABLE MRS. JUSTICE N.MALA

W.P.No.12179 of 2025

and

WMP No.13740 of 2025

1.Dr.Abhishek Kumar Tiwari
83/11, Cherran Tower Apartment,
Gopalapuram,
Coimbatore-641 018.

2.Dr.Lichumo T.Murry,
Nepali Kashiram,
Dimapur,
Nagaland -797 112.

3.Dr.R.Vetrivel Praveen
9/39, Subramanian Street,
Chidambaram -608 001.

4.Dr.V.M.Manikandan,
MIG 192, TNHB Colony,
Gandhi Gramam North,
Karur-639 004.

... Petitioners

Vs

1.The State of Tamil Nadu,
Represented by its Principal Secretary,

1/8



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Health and Family Welfare Department,
Secretariat, Chennai -600 009.

2. Directorate of Medical Education and
Research,
Represented by its Director,
Kilpauk,
Chennai-600 010.

3. Directorate of Medical and Rural Health Services,
Represented by its Director,
359, Anna Salai,
Chennai-600 006.

4. Directorate of Public Health and Preventive Medicine,
Represented by its Director,
359, Anna Salai,
Chennai-600 006.

5. Government Coimbatore Medical College,
Represented by its Dean,
Avinashi Road,
Coimbatore-641 018.

.... Respondents

Prayer: Writ petition filed under Article 226 of the Constitution of India, praying to issue a writ of mandamus directing the respondents to treat the petitioners' compulsory bond period as completed, and to consequently direct the 5th respondent to return the petitioners' original certificates and documents collected while admitting the petitioners to super speciality degree course along with petitioners post-graduate and super speciality degree certificate, and pass orders.



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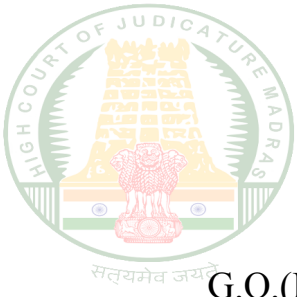
For Petitioners : Ms.Amritha Sathyajith

For Respondents : Mrs.M.Sneha
Special Counsel

ORDER

This writ petition has been filed for issuance of a writ of mandamus directing the respondents to treat the petitioners' compulsory bond period as completed, and to consequently direct the 5th respondent to return the petitioners' original certificates and documents collected while admitting the petitioners to super speciality degree course along with petitioners post-graduate and super speciality degree certificate.

2. The petitioners appeared for NEET SS examination and secured seats in D.M.Cardiology course, in the fifth respondent college. The petitioner's submitted all original documents/certificates, to the fifth respondent college, as it was a compulsory pre-condition to secure admission. During the admission, the petitioner's were required to execute a bond, undertaking to serve the Government, for two years upon completion of the course. Subsequently, through Government Order in



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G.O.(Ms) No.47 dated 28.02.2024, issued by the first respondent, the two year bond period was reduced to one year for doctors completing their post-graduate course from 2023 onwards. The petitioners completed the three year course at the end of January 2024. Accordingly, the petitioners requested the fifth respondent/college to return their original certificates to enable them to seek employment elsewhere. However, the same was declined on the ground that the petitioners had not completed the one year bond service.

2.1. While so, the petitioners one year bond period concluded in January, 2025. However, the fifth respondent continued to retain the petitioner's original certificates under the same pretext. Hence, the petitioner's filed the present writ petition.

3. Heard both sides and perused the materials available on record.

4. The facts narrated above clearly establish that the petitioners completed their three year course at the end of January 2024. Under



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Government Order in G.O.(Ms) No.47 dated 28.02.2024, issued by the first respondent, the two year bond period was reduced to one year for the doctors who completed their post-graduate course from 2023 onwards. The petitioners attended the online counselling held on 23.01.2024, for issuance of bond postings. Thereafter, after a gap of 3 months the petitioners were again called for counselling on 30.04.2024, but the petitioners did not participate thinking that no suitable specialist vacancies in the cardiology department were available. Even if the petitioners failed to participate in the counselling held on 30.04.2024, nothing prevented the respondents from issuing compulsory posting orders. However, the respondents for reasons best known to them failed to issue compulsory posting orders. It appears that the petitioners completed their course in January 2024 and so the one year bond period concluded by January 2025. It is trite that the bond service is co-terminus with the bond period. The Hon'ble Division Bench in W.A.No.799 of 2019 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



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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.

5. In view of the above facts and the judgment of the Hon'ble Division Bench, the respondents cannot be permitted to retain the petitioners certificates, beyond the bond period. Hence, I am inclined to issue a direction to the 5th respondent to return the original certificates of the petitioners within a period of four weeks from the date of receipt of a copy of this order.

6. With the above direction, the writ petition is allowed. No costs. Consequently, connected miscellaneous petition is closed.

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dpq
Index: Yes/No
Speaking order / Non speaking order



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- To
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 2. The Director,
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Kilpauk,
Chennai-600 010.
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N. MALA, J.

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