



W.P.No.13825 of 2025

WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 29.04.2025

CORAM:

THE HONOURABLE MRS. JUSTICE **N.MALA**

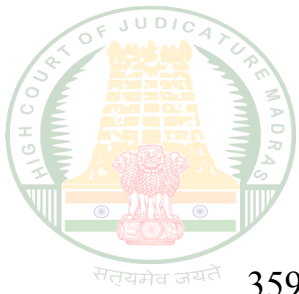
W.P.No.13825 of 2025
and WMP.No.15528 of 2025

Dr.Laxmi Sudha

..Petitioner

Vs

1. The State of Tamil Nadu
Rep.by its Principal Secretary
Health and Family Welfare Department
Secretariat, Chennai 600 009.
2. The Directorate of Medical Education
and Research
Rep By The Director of Medical
Education, Kilpauk, Chennai-600 010
3. The 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. The Directorate of Public Health
and Preventive Medicine
Rep by The Director Of Public Health
and Preventive Medicine,



W.P.No.13825 of 2025

WEB COPY

359, Anna Salai, Chennai-600 006
5. The Government Thanjavur
Medical College
Rep By Its Dean, Thanjavur-613 004

6. The Join Director of Health Services
Nagapattinam

.... Respondents

Prayer: Writ petition filed under Article 226 of the Constitution of India, praying to issue a writ of mandamus, directing the respondents to declare the petitioner's bond period as completed and consequently direct the respondents 5 and 6 to return the petitioner's original Post Graduate Diploma certificate and the 6th respondent to return the original bank guarantee bearing No.0095820BG0000129 dated 10.07.2020.

For Petitioner : M/s.Suhrith Parthasarathy

For Respondents : Mrs.M.Sneha, Special Counsel

ORDER

This writ petition is filed for a writ of mandamus directing the respondents to declare the petitioner's bond period as completed and consequently direct the respondents 5 and 6 to return the petitioner's original Post Graduate Diploma certificate and the 6th respondent to return



W.P.No.13825 of 2025

WEB COPY

the original bank guarantee bearing No.0095820BG0000129 dated 10.7.2020.

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

3. The petitioner joined the Post Graduate Diploma course, in Anaesthesiology (DA) in the 5th respondent college in May 2017. The petitioner submitted her original certificates and executed a bond for Rs.20,00,000/- undertaking to serve the Government, if directed for two years upon completion of the course. The petitioner completed the course in May 2019. Later the petitioner was issued posting order on 30.11.2019, with an inordinate delay of six months. Thereafter, she was posted to Government Periyar Hospital, Mayiladuthurai and joined on 21.12.2019. While serving in Government Periyar Hospital, Mayiladuthurai, the petitioner secured admission to the Diplomate of National Board (DNB) course, at Dr.Rangarajan Memorial Hospital, Chennai. The petitioner was required to submit her original certificates and therefore the petitioner approached the 6th respondent, for return of her certificates, assuring



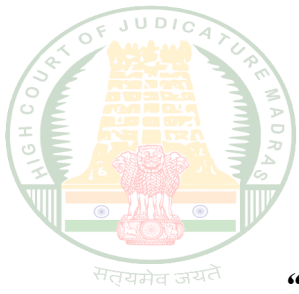
W.P.No.13825 of 2025

WEB COPY

continued compliance with the bond obligations. The 6th respondent demanded a bank guarantee of Rs.20,00,000/- for return of certificates. The petitioner therefore furnished a bank guarantee of Rs.20,00,000/- and the 6th respondent returned all certificates except the Post Graduate Diploma certificate.

4. The petitioner completed the DNB course on 23.07.2022 and approached the 6th respondent, for posting orders so as to complete the remaining bond service. The 6th respondent neither issued fresh posting orders nor permitted the petitioner to rejoin the Government Periyar Hospital, Mayiladuthurai. Though the bank guarantee submitted by the petitioner expired on 31.12.2023, the 6th respondent continued to retain the petitioner's original Post Graduate Diploma certificate and therefore the petitioner filed the above writ petition for the aforesaid relief.

5. The facts narrated above are undisputed. The Hon'ble Division Bench of this Court in W.A.No.799 of 2019, dated 06.10.2020 held as follows;



W.P.No.13825 of 2025

WEB COPY

“.....
....

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.”

6. In my view the above Hon'ble Division Bench judgment squarely applies to the facts of the case. Though the petitioner completed her DNB Course on 23.07.2022, the respondents did not issue the posting orders within the two year period. The bond period having lapsed, the respondents cannot retain the petitioner's original certificate and the bank guarantee. I find merit in the writ petition and therefore, the respondents are directed to return the petitioner's original Post Graduate Diploma certificate and the original bank guarantee No.0095820BG0000129 dated 10.07.2020 within a period of four weeks from the date of receipt of a copy of this order.

7. With the above direction and observation, the writ petition is allowed. No costs. Consequently connected miscellaneous petition is also



W.P.No.13825 of 2025

closed.
WEB COPY

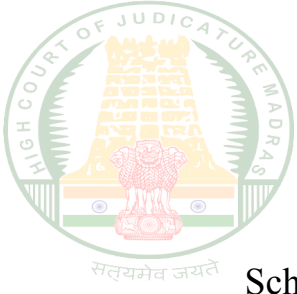
29-04-2025

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

To

1. The State of Tamil Nadu
Rep.by its Principal Secretary to Government

6/8



W.P.No.13825 of 2025

WEB COPY

School Education Department

Fort St.George,
Chennai 600 009.

2. The Director,
Directorate of Elementary Education
DPI Complex,
College Road, Chennai 600 006.
3. The Chief Educational Officer,
Education Department,
Bharathi Nagar,
Ranipet, Ranipet District.
4. The District Educational Officer,
(Elementary Education)
DEO Office,
Bharathi Nagar,
Ranipet,
Ranipet District – 632 403.
5. The Block Educational Officer – 2
Arcot Block
Ranipet District – 632 503.

N. MALA, J.

dpq



WEB COPY



W.P.No.13825 of 2025

W.P.No.13825 of 2025
and WMP.No.15528 of 2025

29.04.2025