



W.P.Nos.16320 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 30.04.2025

CORAM:

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

W.P.Nos.16320 of 2025

Dr.R.Suresh

... 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

Prayer: Writ petition filed under Article 226 of the Constitution of India,
praying to issue a writ of mandamus to direct the respondents to consider the



W.P.Nos.16320 of 2025

representation of the petitioner dated 17.04.2025 and direct the respondents to return all the original certificates of the petitioner which were produced by the petitioner to the respondents at the time of his joining in the Post Graduate Higher Speciality Qualification of Master of Chirurgiae (M.Ch.) in Plastic and Reconstructive Surgery Course in November, 2017 at Madras Medical College, Chennai the 4th respondent.

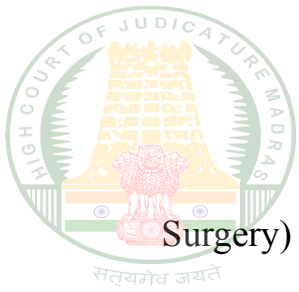
For Petitioner : Mr.M.Ramamoorthi

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 consider the representation of the petitioner dated 17.04.2025, and to further direct the respondents to return all the original certificates of the petitioner which were produced by the petitioner to the respondents at the time of his joining in the Post Graduate Higher Speciality Qualification of Master of Chirurgiae (M.Ch.) in Plastic and Reconstructive Surgery Course at Madras Medical College, Chennai, the 4th respondent.

2. The petitioner completed his Bachelor of Medicine and Bachelor of Surgery (MBBS) and thereafter completed his Master of Surgery MS (General



W.P.Nos.16320 of 2025

Surgery) from Maulana Asad Medical College, affiliated to University of Delhi

at New Delhi. The petitioner joined the Super Speciality Course of Doctor of Chirurgiae (M.Ch) in Plastic and Reconstructive Surgery, in Madras Medical College, affiliated to Dr.MGR Medical University, Chennai.

3. The petitioner further states that he was required to execute a bond agreeing to serve the Government of Tamil Nadu for a period of 2 years, on completion of his Post Graduate Higher Speciality Qualification of Master of Chirurgiae (M.Ch.) Plastic and Reconstructive Surgery. The petitioner states that though he completed the Super Speciality Course as early as in 2022, till date no posting order was issued to him. The petitioner relying on the Division Bench judgment of this Court in W.ANo.799 of 2021, states that as the bond period lapsed, he is entitled to the return of his original certificates. Though the petitioner submitted a representation on 17.04.2025, no action was taken and therefore the petitioner was constrained to file the above writ petition for the aforesaid relief.

4. The facts are undisputed, the petitioner completed his Super Speciality Course of Doctor of Chirurgiae (M.Ch) in Plastic and Reconstructive Surgery in Madras Medical College, affiliated to Dr.MGR Medical University, Chennai



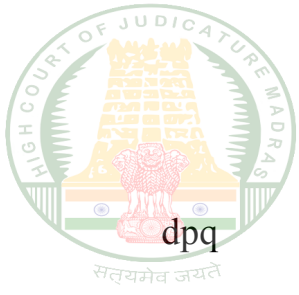
W.P.Nos.16320 of 2025

in August 2017. The petitioner was not issued with any posting order as per the bond conditions within the two year period. The Hon'ble Division Bench in W.A.No.799 of 2021 dated 06.10.2022 categorically held that the bond service was coterminous with the bond period. Therefore if, within the bond period of 2 years no offer of employment was made for whatever reasons by the Government, then the petitioner cannot be clutched for any further period. As the petitioner has not been issued with the posting order even after lapse of five years and as the bond period has long lapsed, in my view, the respondents are bound to return the petitioner's original certificates.

5. In view of the above discussions, a direction is issued to the 4th respondent to return the petitioner's original certificates, which were produced by the petitioner at the time of his joining in Post Graduate Higher Speciality Qualification of Master of Chirurgiae (M.Ch.) in Plastic and Reconstructive Surgery within a period of four (4) weeks from the date of receipt of a copy of this order.

6. Accordingly, the writ petition is allowed. No costs.

30.04.2025



W.P.Nos.16320 of 2025

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(1/3)

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Index: Yes/No

Speaking order / Non speaking order

To

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
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WEB COPY



W.P.Nos.16320 of 2025

N. MALA, J.

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W.P.No.16329 of 2025

(1/3)



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W.P.Nos.16320 of 2025

30.04.2025