



W.P.Nos.16335 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 30.04.2025

CORAM:

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

W.P.Nos.16335 of 2025

Dr.S.Jhansi

... 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



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representation of the petitioner dated 23.04.2025 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 her joining in the Post Graduate Higher Speciality Qualification of Master of Chirurgiae (M.Ch.) in Plastic and Reconstructive Surgery Course in August, 2017 at Madras Medical College affiliated with Dr.MGR Medical University, Chennai, the 4th respondent.

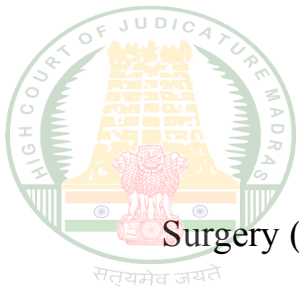
For Petitioner : Mr.M.Ramamoorthi

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 23.04.2025, and to further direct the respondents to return all the original certificates of the petitioner which were produced by her to the respondents at the time of her joining in the Post Graduate Higher Speciality Qualification of Master of Chirurgiae (M.Ch.) in Plastic and Reconstructive Surgery Course, at Madras Medical College, affiliated to Dr.MGR Medical University, Chennai, the 4th respondent.

2. The petitioner completed her Bachelor of Medicine and Bachelor of



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Surgery (MBBS) in March 2013. Thereafter on completing her post graduation

in Master of Surgery, she 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 states that she was required to execute a bond agreeing to serve the Government of Tamil Nadu for a period of 2 years on completion of her Post Graduate Higher Speciality Qualification of Master of Chirurgiae (M.Ch.) Plastic and Reconstructive Surgery. The petitioner states that though she completed the Super Speciality Course as early as in 2022, till date no posting order was issued to her. The petitioner relying on the Division Bench judgment of this Court in W.ANo.799 of 2021, states that as the bond period lapsed, she is entitled to the return of her original certificates. Though the petitioner submitted a representation on 23.04.2025, 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 her 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.



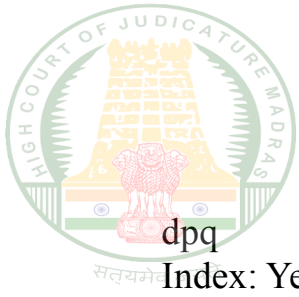
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The petitioner was not issued with any posting order as per the bond conditions within the two year period. The Hon'ble Division Bench in W.A.No.799 of 2021 dated 06.10.2022, categorically held that the bond service was coterminous with the bond period. 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 her at the time of her joining the 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



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Index: Yes/No

Speaking order / Non speaking order

To

1. The Principal Secretary to the
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N. MALA, J.

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