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WP No. 16301 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

**DATED: 12-08-2025**

CORAM

**THE HONOURABLE MR.JUSTICE C.KUMARAPPAN**

**WP No. 16301 of 2024**

1. S.Santhosh Kumar  
S/omr Subramanian  
Residing At No 7/519,  
B.Kumaran Nagar  
Sultan Pet Post  
Coimbatore District 641 669

Petitioner(s)

Vs

1. Principal Secretary To  
Government  
Of Tamil Nadu  
Health And Family Welfare  
Department, Secretariat,  
Chennai 600 009

2. Director Of Medical Education  
No 162, EVR Periyar Salai  
Kilpauk Chennai 600 010

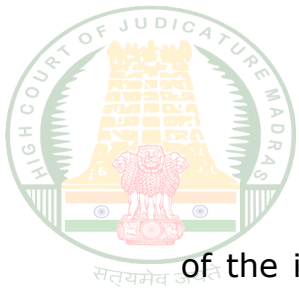
3. Director Of Medical And Rural  
Health Services  
No 359 Anna Salai  
Chokkalingam Nagar  
Chennai-600 006

4. The Dean  
Coimbatore Medical College And  
Hospital  
Coimbatore 641 018

Respondent(s)

**PRAYER**

Writ petition filed under Article 226 of the Constitution of India,  
praying to issue a writ of Certiorarified Mandamus, to call for the records



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of the impugned order issued by the 4<sup>th</sup> respondent vide Ref. No 4036/ME1/2022 dated 16.02.2024 and quash the same as null and void, illegal and invalid, and consequently directing the respondents to forthwith to release bank guarantee of Rs 40 lakhs granted by the petitioner while to get back petitioner's original certificates, for higher study which was collected by the 4<sup>th</sup> Respondent while admitting the petitioner to post graduate degree course in 4<sup>th</sup> respondent college, after providing a surety letter without producing a bank guarantee in the light of judgements in WA.Nos.2256, 2257 & 2259 of 2022.

For Petitioner(s): Mr.P.Ganesan

For Respondent(s): Mr.K.Tipuu Sultan,  
Govt.Advocate  
For R1 To R4  
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### **ORDER**

The instant writ petition has been filed seeking for a writ of Certiorarified Mandamus, to quash the impugned letter dated 16.02.2024 and direct the respondents to forthwith to release bank guarantee of Rs.40 lakhs.

2. Heard Mr.P.Ganesan, learned counsel for the petitioner and Mr.K.Tippu Sultan, learned Government Advocate appearing for the respondents.

3. The learned counsel for the petitioner would submit that the



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petitioner participated in the NEET PG Examinations in 2018 and joined in M.S.General Surgery Course at Coimbatore Medical College and Hospital under the General Category. It is the further submission of the petitioner that in pursuance thereof, the petitioner executed a bond to the tune of Rs.40 lakhs with a declaration that he will serve the Government of Tamil Nadu Medical Services for a period of two years. However, after completing M.S.General Surgery Course, he got seat under the All India quota for Super Speciality course of Hepato Pancreato Biliary Surgery/Surgical Gastroenterology (G.I.Surgery) in Government Medical College, Thiruvananthapuram. Due to the same, he was not able to undergo the bond period of two years and that for joining the super speciality course, when he required his original certificates, the respondent has directed the petitioner to submit the Bank Guarantee for a sum of Rs.40 lakhs, based on which, the petitioner has submitted the bank guarantee. It is the contention of the learned counsel for the petitioner that for the similarly placed persons, the respondents had attempted to substitute a super speciality course with an undertaking to continue the bond conditions after completing the degree. The petitioner is also willing to pursue his bond service after completing his super speciality course.

4. At this juncture, the learned Government Advocate would invite the attention of this Court in respect of the order dated 23.05.2025

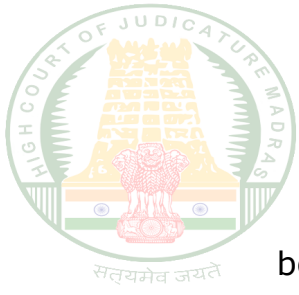


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passed by the learned Single Judge of this Court in **Rev.Aplw.Nos.146 to 148 of 2025 [State of Tamil Nadu Vs. Dr.Sibichakkaravarthy and others]** and would submit that if the petitioner is willing to comply with the directions given in the Review Petition, they may release the bank guarantee.

5. In view of the above submissions, the following orders are passed:-

1. The petitioner is directed to get an undertaking from the Government Medical College, Thiruvananthapuram to the effect that on completion of super speciality course by the petitioner, they will return all the original certificates to the Directorate of Medical Education.
2. On such submission, the respondents are directed to release the bank guarantee forthwith.
3. The Directorate of Medical Education shall ensure that the certificates are retained safely.
4. On completion of their super speciality course, the students will report to the Directorate of Medical Education for obtaining posting orders in order to complete their bond service. It shall be in writing and the same shall be acknowledged.
5. The Directorate of Medical Education shall issue posting orders to the students within a period of four months from the date of such reporting.
6. The Directorate of Medical Education shall issue posting orders to the students commensurate with their educational qualification.
7. The posting orders shall be on contract basis. The contract shall be valid for the period on the bond, or for the remaining period on the



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bond, in case the candidates have already served certain period under the bond.

8. On completion of the bond service, the Directorate of Medical Education will release the original certificates to the students.
9. In case, the Directorate of Medical Education does not issue posting orders within a period of four months from the date of reporting, the bond will be deemed to have been discharged and the Directorate of Medical Education shall issue the educational qualification certificates forthwith.

6. Accordingly, this writ petition stands disposed of with the above directions. There shall be no order as to costs.

**12-08-2025**

*kmi*

Index:Yes/No

Speaking/Non-speaking order

Internet:Yes

Neutral Citation:Yes/No

To

1.Principal Secretary To Government  
Of Tamil Nadu Health And Family  
Welfare Department, Secretariat,  
Chennai 600 009

2.Director Of Medical Education  
No 162, Evr Periyar Salai Kilpauk  
Chennai 600 010

3.Director Of Medical And Rural  
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**C.KUMARAPPAN J.**

*kmi*

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