



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 13-08-2025

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THE HONOURABLE MR.JUSTICE C.KUMARAPPAN

WP No. 17580 of 2024

1.Dr.R.Sri Vidhya
2.Dr.Kalaivani
3.Dr.A.Priyanka

Petitioner(s)

Vs

1.The State of Tamil Nadu
Represented by its Principal Secretary,
Health and Family Welfare Department,
Secretariat, Chennai-9

2.Directorate of Medical Education
Represented by The Director of
Medical Education, Kilpauk,
Chennai-10.

3.Directorate of Medical and Rural
Health Services
Rep by the Director of Medical Health
and Rural Health Services, No.359,
Anna Salai, Chennai-6.

4.Directorate of Public Health and



Preventive Medicine
Represented by The Director Of Public
Health And Preventive Medicine,
No.359, Anna Salai, Chennai-6

5. Government Madras Medical College
Represented by its Dean,
Chennai-600 003.

6. Government Vellore Medical College
Represented by its Dean,
Vellore-632 011

Respondent(s)

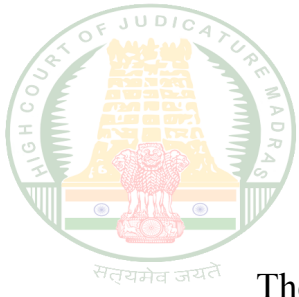
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PRAYER

directing the respondents to treat the petitioners' one year bond period as completed and to consequently relieve them from their bonded service and to direct the 5th and 6th respondents to return their original certificates and documents collected during their Post-Graduation admission along with their PG degree certificates, within a time limit to be stipulated by Court.

For Petitioner(s): Ms. K.Dhivyashree

For Respondent(s): Mr.K.Tippu Sultan Govt.
Advocate

**ORDER**

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The present writ petition has been filed seeking a direction to the respondents to treat the petitioners' one-year bond period as completed and consequently relieve them from their bonded service and to direct the respondents 5 and 6 to return their original certificates and documents collected during their Post-graduation admission, along with their PG degree certificates.

2. The case of the petitioners is that the petitioners are doctors and after completion of their MBBS degree in the year 2020, they have joined for the Post Graduation in the non-service category at the respondents 5 and 6 (Colleges). They completed the course in the year 2023. It is stated that the petitioners joined the post graduation after executing a bond for a sum of Rs.40 Lakhs with an undertaking that they would serve the Government of Tamil Nadu for a period of two years. The petitioners have also submitted their original educational certificates to the concerned Medical Colleges.

3. It is further submitted that after commencement of the course in the



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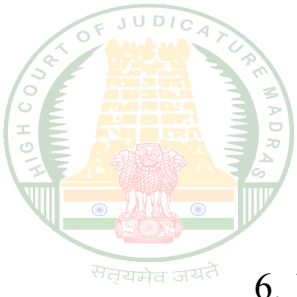
year 2020, COVID-19 pandemic struck and the petitioners were deputed to render COVID duty in their respective colleges and obtained certificate for the same from the Head of the Department based on the G.O.Ms.Nos.278 and 371 issued by the Health and Family Welfare Department dated 17.08.2023 and 18.11.2023 respectively. After completing their PG course, the petitioners were temporarily appointed by the 4th respondent as Assistant Surgeons to work as part of their bond. The petitioners reported for duty and served in their respective hospitals for more than a year, but not for the full two years. Since the petitioners had not served the Government of Tamil Nadu for the full bond period of two years, the respondents declined to return their original certificates. Hence, the petitioners are constrained to move the present writ petition.

4. Though the present writ petition has been filed by three petitioners seeking a writ of mandamus to relieve them from their bonded service and return of the original certificates, the learned counsel for the petitioners would submit that subsequent to the filing of the present writ petition, all the petitioners have received their original certificates. The 1st petitioner is about to



receive the original certificate, and the 2nd petitioner has already received her relieving order. However, regarding the 3rd petitioner, although her original certificates have been released, no action has been taken to issue a relieving order.

5. It is the contention of the 3rd petitioner that she has completed her course in the month of October 2023. Therefore, by virtue of G.O.Ms.No.351, Health and Family Welfare (MCA-1) Department dated 27.10.2023, her bond period is one year. The 3rd petitioner joined pursuant to the posting order, which she received on 25.10.2023, and she undertook bond duty, working until 31.08.2024, with two months left to complete the one-year period. It is the submission that during the relevant period of time, she availed maternity leave and she gave birth to a male child on 21.10.2024. Therefore, by virtue of the judgment of the Hon'ble Division Bench in the case of ***Dr.E.Karthika vs. The State of Tamil Nadu*** in W.A.(MD).No.860 of 2023 dated 19.06.2025, the maternity leave must also be counted within the bond service. Consequently, it must be construed that the petitioners have completed her bond service.



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6. Per contra, the learned Government Advocate appearing on behalf of the respondents would submit that though the petitioners were issued with a posting order, they are yet to complete their full bond service. However, in respect of the 3rd petitioner, two months bond service is yet to be completed. Hence, the present writ petition is liable to be dismissed.

7. I have given my anxious consideration to the submissions made by both sides.

8. The crux of the contention of the petitioners, as far as the 3rd petitioner is concerned she has undertaken the bond service. As of 31.08.2024, there were only two months left to complete the bond service, during that time she took maternity leave. It is contended that the maternity leave must be confer along with the bond service, as held by the Hon'ble Division Bench of this Court in ***Dr.E.Karthikaa's*** case (cited *supra*). In the present case, although the petitioner had two months left to complete the bond service, as the petitioner rightly



contends that bond period has to be conferred with the maternity leave as the same to be treated as coextensive with the bond service. Consequently, this

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Court deems it appropriate to direct the respondents to issue a relieving order to the 3rd petitioner within a period of four (4) weeks from the date of receipt of a copy of this order.

9. With the above directions, this Writ Petition stands closed. No costs.

13-08-2025

Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No

Jeni



To
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