



W.P.No.19933 of 2025

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 12.06.2025

CORAM

THE HONOURABLE MR.JUSTICE C.KUMARAPPAN

W.P.No.19933 of 2025

and

W.M.P.Nos.22484, 22486 and 22490 of 2025

T.Mymoon Reshma

... Petitioner

Vs.

1.The State of Tamil Nadu

Represented by its Principal Secretary,
Health and Family Welfare Department,
Secretariat, Chennai – 600 009.

2.Directorate of Medical Education and Research

Represented by its Director
Kilpauk, Chennai – 600 010.

3.Director of Medical and Rural Health Services

Represented by its Director
359, Anna Salai, Chennai – 600 006.

4.Directorate of Public Health and Preventive Medicine

Represented by its Director
359, Anna Salai, Chennai – 600 006.

5.Government Tirunelveli Medical College

Represented by its Dean
Palayamkottai, Tirunelveli – 627 011.

... Respondents



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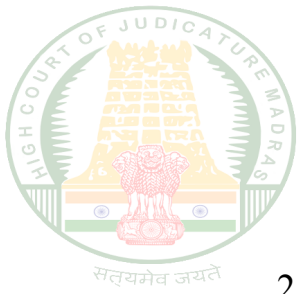
Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus, calling for the records of the 4th Respondent contained in the Posting Order bearing R. No. 4655322/E5/A4/2023-323, dated 07.11.2024, and to quash the same as arbitrary and unjust, and to consequently direct the Respondents to treat the Petitioner's bond period as complete and direct the 5th Respondent to return the Petitioner's original certificates and documents collected by the 5th Respondent while admitting her to the post graduate degree course along with her post graduate degree certificate.

For Petitioner : Mr.Suthrithparthasarathy

For Respondents : Mr.K.Tippu Sultan
Government Advocate

ORDER

The instant writ petition has been filed with a prayer for issuing a Certiorarified Mandamus, calling for the records of the 4th Respondent contained in the Posting Order bearing R.No.4655322/E5/A4/2023-323, dated 07.11.2024, and to quash the same as arbitrary and unjust, and to consequently direct the Respondents to treat the Petitioner's bond period as complete and direct the 5th Respondent to return the Petitioner's original certificates and documents collected by the 5th Respondent while admitting her to the post graduate degree course along with her post graduate degree certificate.



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2. The learned counsel for the petitioner would submit that the petitioner joined MD Paediatrics course in Government Tirunelveli Medical College on June 26, 2020 and she completed her course on 26.11.2023. By virtue of G.O.(Ms).No.351, Health and Family Welfare (MCA-1) Department, dated 27.10.2023, the two years bond period for Doctors passing out in 2023 was reduced to one year. It is the submission of the petitioner that her bond period expired on 25.11.2024. However, the posting orders issued belatedly on 07.11.2024, almost on the verge of completion of the bond period. Therefore, it is the submission of the petitioner that she is entitled to get back her original certificates and documents.

3. Per contra, the learned Government Advocate appearing for the respondents would vehemently submit that the bond period end on 25.11.2024, therefore, as per the posting orders dated 07.11.2024, it is mandatory on the part of the petitioner to join and serve till the end of the bond period. Whereas, in the case, even after receipt of the posting order, the petitioner did not join duty, therefore, contended that she has to be directed to complete the remaining bond period. In this connection, the learned Government Advocate for the respondents has relied upon the judgment in



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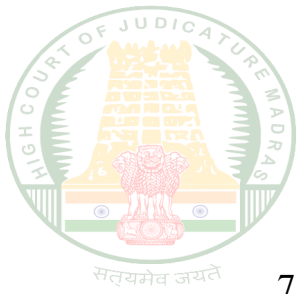
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Dr.D.Abisharthini vs. The State of Tamil Nadu, Rep. by its Principal Secretary, Health and Family Welfare Department (W.A.No.3087 of 2024, dated 16.12.2024)

4. I have given my anxious consideration to the submissions made on either side.

5. While looking at the issuance of posting order, it was on the verge of the completion of bond period. At this juncture, the learned counsel for the petitioner would submit that though order is dated 07.11.2024, it was signed on 11.11.2024. Therefore, the contention of the respondent that they have issued the posting order prior to completion of the bond period is doubtful. In such view of the matter, the petitioner's contention has to be accepted. Hence, the petitioner is entitled for return of original documents.

6. Accordingly, the respondents are directed to return the original certificates and documents of the petitioner, within a period of two weeks from the date of receipt of copy of this order.



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7. In the result, the Writ Petition is allowed with above direction. No costs. Consequently, the connected writ miscellaneous petitions are closed.

12.06.2025

Index : Yes/No
Speaking order /Non Speaking Order
Neutral Citation : Yes/No
dm

To

- 1.The Principal Secretary,
State of Tamil Nadu
Health and Family Welfare Department,
Secretariat, Chennai – 600 009.
- 2.The Director
Directorate of Medical Education and Research
Kilpauk, Chennai – 600 010.
- 3.The Director
Director of Medical and Rural Health Services
359, Anna Salai, Chennai – 600 006.
- 4.The Director
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- 5.The Dean
Government Tirunelveli Medical College
Palayamkottai, Tirunelveli – 627 011.



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C.KUMARAPPAN, J.

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