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W.P.No.20619 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.08.2025

CORAM

THE HONOURABLE Mr.JUSTICE C.KUMARAPPAN

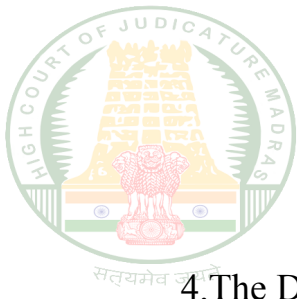
W.P.No.20619 of 2024
and
W.M.P.No.22546 of 2024

P.Ganesh

... Petitioner

Vs.

- 1.The State of Tamil Nadu,
Represented by its Principal Secretary,
Health and Family Welfare Department,
Secretariat,
Chennai – 600 009.
- 2.The Directorate of Medical Education,
Represented by the Director of Medical Education,
Kilpauk,
Chennai – 600 010.
- 3.The Directorate of Medical and Rural Health Services,
Represented by the Director of Medical Health and
Rural Health Services,
No.359, Anna Salai,
Chennai – 600 006.



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4.The Directorate of Public Health and Preventive Medicine,
Represented by the Director of Public Health
and Preventive Medicine,
No.359, Anna Salai,
Chennai – 600 006.

5.Government Dharmapuri Medical College,
Represented by its Dean,
Salem Main Road,
Dharmapuri – 636 701.

... Respondents

Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the respondents to treat the petitioner's compulsory bond period as completed and to consequently direct the respondent Nos.2 to 4 to issue an order relieving the petitioner from bonded service and direct the 5th respondent to return the petitioner's original certificates and documents along with his Post Graduate degree certificate.

For Petitioner : Mr.Suhrith Parthasarathy

For Respondents : Mr.K.Tippu Sultan
Government Advocate

ORDER

The learned counsel for the petitioner would submit that he has completed his Post Graduation in MS Orthopaedics from the Government Medical College and due to Covid – 19 pandemic the petitioner was required



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to carry out Covid-19 duty. In view of the same, the Government has issued G.O.Ms.No.17, Health and Family Welfare (MCA-1) Department, dated 11.01.2024, reducing two year bond period to one year who have completed the PG course in the year 2022.

2. The learned counsel for the petitioner would further submit that the petitioner completed his course during April 2022. Therefore, as per G.O.Ms.No.17, Health and Family Welfare (MCA-1) Department, dated 11.01.2024, the bond period was reduced to one year and hence April 2023, whereas, the posting order was given beyond the period of one year i.e., on August 2023. He would further submit that the petitioner must be construed that he has completed his bond period and the posting order is beyond the period of one year.

3. The above said contention was strongly objected by the learned Government Advocate for the respondents and would submit that the Government Order came into effect on 11.01.2024, whereas, the petitioner was issued with the posting order on August, 2023. Hence, he must undergo the bond service, otherwise, he would not eligible to get back the original



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certificates.

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

5. The following facts are not in dispute. The petitioner completed his PG in the year April 2022 and it is also admitted facts that the Government passed G.O. on 11.01.2024, reducing the bond period from two years to one year, those who have completed the PG degree in the year 2022.

6. In the case in hand, though the Government Order has been passed during 2024, it has got retrospective effect, therefore, the petitioner bond period was reduced to one year and would complete during April 2023. Admittedly, the posting order is given beyond the bond period namely August, 2023.

7. It is a well-settled principles of law must co-extensive with that of the bond period. That being the case, the issuance of posting order subsequent to the bond period is in violation of the judgment of this Court in W.A.No.799 of 2019 dated 06.10.2020.



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8. In view of the same, this Court is of the view that the petitioner has completed his bond period and he is entitled to get back his original certificates.

9. In the result, this Writ Petition is allowed by directing the respondents to return the original certificates received at the time of joining along with the Post Graduate degree certificate and relieving order, within a period of four weeks from the date of receipt of a copy of this order. No costs. Consequently, connected Writ Miscellaneous Petition is closed.

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

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C.KUMARAPPAN, J.

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