



W.P.No.25303 of 2025

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 11.07.2025

CORAM:

THE HONOURABLE MR. JUSTICE C. KUMARAPPAN

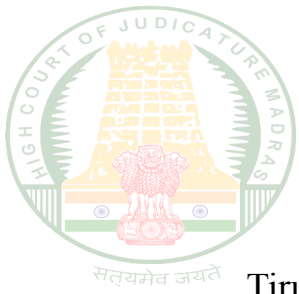
W.P.No.25303 of 2025
and WMP.No.28489 of 2025

Dr. Harshini. R

... 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.Directorate 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 Medical College,



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Tiruvallur
Represented by its Dean,
Avinashi Road,
Tiruvallur - 602 001.

6. Government Kilpauk Medical College
Rep.by its Dean
Poonamallee High Road,
Kilpauk,
Chennai 600 010.

.... Respondents

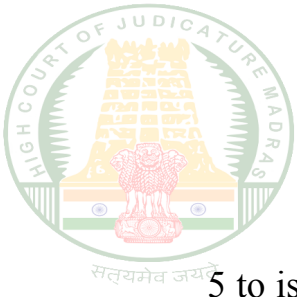
Prayer: Writ petition filed under Article 226 of the Constitution of India, praying to issue a writ of mandamus directing the respondents to treat the petitioners' compulsory bond period as completed, and to consequently direct the respondents 2 to 5 to issue an order relieving the petitioner from bonded service and direct the 6th respondent to return the petitioner's original certificates and documents along with the post-graduate degree certificate and pass orders.

For Petitioners : Mr.Suhrith Parthasarathy

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 treat the petitioners' compulsory bond period as completed, and to consequently direct the respondents 2 to



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5 to issue an order relieving the petitioner from bonded service and direct the 6th respondent to return the petitioner's original certificates and documents along with the post-graduate degree certificate.

2. The petitioner joined her post-graduate course in June 2020 in the Government Kilpauk Medical College as a non-service candidate, executing a bond undertaking to serve the Government of Tamil Nadu for two years upon completion of her course, failing which she would be liable to pay Rs.40,00,000/-. She was also compelled to deposit all her original educational documents, including mark sheets, MBBS degree certificate and Medical Council registration certificate as a condition precedent for admission. She successfully completed her course in May 2023. However, despite no fault on her part, the respondents delayed the issuance of a bond posting order by more than three months. Only on 12.09.2023 she was called for counselling and subsequently she received her posting order dated 11.10.2023 placing her at the Government Medical College, Tiruvallur for a period of one year and seven months. She dutifully joined the post on 01.11.2023 and continued her service



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without any blemish.

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3. Meanwhile, the Government of Tamil Nadu issued G.O.(Ms)No.351 dated 27.10.2023 reducing the compulsory bond period for doctors passing out in 2023 from two years to one year. The petitioner expected that her posting order would be revised accordingly, but no such revision took place. She continued working until 31.01.2024, when she proceeded on a sanctioned maternity leave for one year from 01.02.2024 to 31.01.2025. Upon completion of her leave, she joined duty on 01.02.2025 and continues to serve at the same institution. By virtue of the said Government order her bond period stood reduced to one year after adjusting for four months delay in posting the effective bond period came down to approximately eight months, which she has duly completed. She therefore made formal requests to the concerned respondents to relieve her from service and to return her original documents. However, her requests were summarily rejected on the ground that she had not completed the entire bond tenure.



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4. Relying on the binding Division Bench judgment in ***Dr.E.Krithikaa Vs The State of Tamil Nadu and others*** (W.A.(MD).No.860 of 2023 dated 19.06.2025, the petitioner submits that her period of maternity leave must be counted towards the bond service. The said judgment unequivocally holds that maternity leave is an integral part of maternity benefits protected under Article 21 of the Constitution and must be treated as part of the mandatory bond service, notwithstanding that the doctor is not a regular Government employee. Despite this clear legal position, the respondents have failed to revise her bond obligation or return her original certificates. She contends that such continued retention of educational documents is illegal and violates settled principles laid down by this Court. Hence, the petitioner filed the present writ petition.

5. Heard both sides and perused the materials available on record.

6. The facts narrated above clearly establish that the petitioner completed her three year course at the end of May 2023. Under



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Government Order in G.O.(Ms) No.351 dated 27.10.2023, issued by the first respondent, the two year bond period was reduced to one year for the doctors who completed their post-graduate course from 2023 onwards. On 12.09.2023, the petitioner was called for counselling and subsequently received her posting order dated 11.10.2023 posting at the Government Medical College, Tiruvallur for a period of one year and seven months. The 1st respondent issued a Government issued a Government Order (G.O.Ms.No.351) reducing the bond period of one year for doctors who have completed their post graduation in 2023 and the petitioner joined the posting. From 01.02.2024 to 31.01.2025 the petitioner went on a sanctioned maternity leave for one year. From 01.02.2025 the petitioner rejoined the post and presently working there. By virtue of G.O.(Ms)No.351 and accounting for the four month delay in issuance of the posting order the petitioner's one year bond period stands cancelled. It is trite that the bond service is co-terminus with the bond period. The Hon'ble Division Bench in W.A.No.799 of 2019 held as follows:-

vi. The period of applicability of the conditions under the bond



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will be co-terminus with the period of two years from the date a candidate successfully passes out the course, as explained above and would not continue beyond the same.

vii. The candidates who have not been offered appointment within the period of two years would be entitled to release of their certificates accordingly.

7. In view of the above facts and the judgment of the Hon'ble Division Bench, the respondents cannot be permitted to retain the petitioner certificates, beyond the bond period. Hence, I am inclined to issue a direction to the 6th respondent to return the original certificates of the petitioner within a period of two weeks from the date of receipt of a copy of this order.

8. With the above direction, the writ petition is allowed. No costs. Consequently, connected miscellaneous petition is closed.

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dpq
Index: Yes/No
Speaking order / Non speaking order

To

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C. KUMARAPPAN, J.



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