



W.P No.28146 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 08.09.2025

CORAM:

THE HONOURABLE MR.JUSTICE **G.K.ILANTHIRAIYAN**

W.P No.28146 of 2025

and

W.M.P Nos.31577 & 31580 of 2025

Dr.Mounika.B

..... Petitioner

Vs

1. The State of Tamil Nadu
Represented by its Principal Secretary
Health and Family Welfare Department
Secretariat, Chennai-600009.
 2. Directorate of Medical Education and Research
Represented by the Director of Medical Education
Kilpauk, Chennai-600 010.
 3. Directorate of Public Health and Preventive Medicine
Represented by its Director of Public
Health and Preventive Medicine
359, Anna Salai
Chennai-600 006.
 4. The Dean
Madras Medical College
Chennai.
 5. Thanjavur Medical College
Represented by its Dean
Thanjavur District.
- ... Respondents



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PRAYER: Writ Petition is filed under Article 226 of Constitution of India, to issue a Writ of Certiorarified Mandamus to call for the records and quash the impugned appointment order in R.No.10145774/E5/A4/2025-114 dated 26.05.2025 issued by the respondent no.3 and to return all the original certificates of the petitioner immediately or within the time frame stipulated by this Court.

For Petitioner : Mr.R.Raghaev

For R1 to R3 : Mr.K.Tippu Sultan
Government Advocate

ORDER

This writ petition has been filed as against the order passed by the 3rd respondent dated 26.05.2025 thereby posting the petitioner to work for a minimum period of one year 3 months and 23 days from the date of completion of her under graduation.

2. The learned counsel for the petitioner would submit that the petitioner is an M.B.B.S graduate and a registered Medical practitioner. Subsequently, she pursued and completed her Post Graduate (Super Speciality) DM Neonatology from Madras Medical College, Chennai (Batch of 2020-2023). Though she completed her course in the year 2023, she cleared the



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exam only in the month of August 2024. As per the bond executed by her, the

petitioner has to work for a period of 2 years as bond period in the Government as a Non-Service Post Graduate candidate. Thereafter, the Government passed an G.O. Ms.No.49 dated 28.02.2024 thereby reducing the bond period from 2 years to 1 year for the batch of 2023 onwards. However, it was amended as bond period is reduced from 2 years to 1 year for the batch of 2023. Thereafter, the petitioner was issued Posting/Appointment order dated 26.05.2025 and accordingly, the petitioner was posted at Thanjavur Medical College. She was also directed to work for a period of 1 year 3 months and 23 days. However, the petitioner did not join duty so far, on the ground that the reduction of bond period from 2 years to 1 year 3 months and 23 days is not very much applicable to the petitioner, since she had completed her course in the year 2023 itself. Further, the petitioner was issued posting order only on 26.05.2025 with the delay of nearly one year. Therefore, the petitioner did not join duty as per the posting order dated 26.05.2025 and the said posting order is liable to be set aside.

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3. Per contra, the learned Government Advocate submitted that though the petitioner had completed her Super Speciality course in the year 2023, she got failed and written the arrears of examination only in August 2024



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and completed the course. It is denied that there was a delay on the part of the

3rd respondent by issuing an appointment order and the petitioner was asked to work only for the period of 1 year 3 months and 23 days. Therefore, the G.O. (Ms) No.49 dated 28.02.2024 and the amended G.O.Ms. No.121 dated 31.05.2024 are not applicable to the case of the petitioner.

4. Heard the learned counsel on either side and perused the material on record.

5. On perusal of the records, it is revealed that admittedly, the petitioner had cleared her examination only in the month of August 2024, though she completed her course in the year 2023. On perusal of G.O (Ms)No.49 dated 28.02.2024 revealed that the bond amount for Non Service Post Graduates (PG Dental) who have completed their Post Graduate Course in the year 2023 onwards will be Rs.20,00,000/- (Rupees Twenty lakh only) instead of Rs.40,00,000/- (Rupees Forty lakhs). Further, the period of 2 years was also reduced to 1 year. Subsequently, by way of G.O. Ms. No.121 dated 31.05.2024, the earlier G.O was amended by deleting the word “onwards”. Accordingly, the bond period for Non Service Post Graduates (Dental / Super Speciality) who have completed their Post Graduate Courses in the year 2023



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onwards will be reduced from two years to one year. As stated supra, admittedly, the petitioner completed her course and passed the examination only in the month of August 2024. Therefore, she is not eligible for any benefit under G.O (Ms) No.49 dated 28.02.2024 and G.O (Ms) No.121 dated 31.05.2024 issued by the Health and Family Welfare Department to the petitioner. Further, an appointment order was issued on 26.05.2025, after deducting the period during which the petitioner ought to have been issued a posting order immediately upon completion of her Post Graduate Course. Therefore, the petitioner is required to serve her bond period as per the posting order dated 26.05.2025.

6. At this juncture, the learned counsel for the petitioner would submit that the petitioner had attended the covid-19 duty. The purpose of the Government order itself issued only to those who have attended the covid-19 duty, the bond period has been reduced from 2 years to one year. If at all the petitioner had attended the covid-19 duty, her bond period can be reduced from 2 years to 1 year. Accordingly, the petitioner ought to have served the Government duty for one year instead of one year 3 months and 23 days.



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7. It is made clear that the 3rd respondent is directed to verify whether the petitioner was working during the covid-19 period and accordingly, issue a fresh posting order to the petitioner within a period of one week from the date of receipt of a copy of this order. If the petitioner did not attend covid-19 duty, the order impugned in this writ petition stands good.

8. Accordingly, this writ petition stands disposed of. No costs. Consequently, connected miscellaneous petitions are closed.

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Index : Yes/No
Neutral citation : Yes/No
Speaking/non-speaking order
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To

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Health and Family Welfare Department
Secretariat, Chennai-600009.
2. Directorate of Medical Education and Research
Represented by the Director of Medical Education
Kilpauk, Chennai-600 010.
3. Directorate of Public Health and Preventive Medicine
Represented by its Director of Public
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- 4.The Dean
Madras Medical College
Chennai.
- 5.Thanjavur Medical College
Represented by its Dean
Thanjavur District.



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G.K.ILANTHIRAIYAN, J.

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