

WP.No.39923 of 2024

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 07.02.2025

CORAM

THE HONOURABLE MRS.JUSTICE N.MALA

W.P.No.39923 of 2024

and W.M.P.Nos.43237 & 43239 of 2024

Dr.Anu Priya. G

...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,
Represented by the Director of Medical Education,
Kilpauk, Chennai- 600 010.
- 3.Directorate of Medical and Rural Health Services,
Represented by the Director of Medical Health and
Rural Health Service,
359, Anna Salai, Chennai- 600 006.
- 4.Directorate of Public Health and Preventive Medicine,
Represented by the Director of Public Health and



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Preventive Medicine,
359, Anna Salai, Chennai- 600 006.
5.Madras Medical College,
Represented by its Dean,
E.V.R.Salai, Chennai- 600 003.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying for issuance of writ of Mandamus praying to direct the respondents to treat the petitioner's bond period as completed and consequently, direct the 5th respondent to return the petitioner's original certificates and documents collected by the 5th respondent while admitting the petitioner to the post graduate degree course along with her post Graduate Degree Certificate.

For Petitioner : Mr.Suhrith Parthasarathy

For Respondents : M/s.M.Sneha, Special counsel

ORDER

The writ petition is filed for issuance of writ of Mandamus directing the respondents to treat the petitioner's bond period as completed and consequently, directing the 5th respondent to return the petitioner's original certificates and documents collected by the 5th respondent at the time of petitioner's admission to the post graduate degree course, along with her post Graduate Degree



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Certificate.

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2. The petitioner is a Doctor who completed post graduation in MD Anaesthesiology from the 5th Respondent's College. She joined the course in 2019 and completed the same in May 2022. The petitioner was required to execute a bond for two years of Government service, if postings were offered, which she duly executed. However, despite attending multiple counselling sessions for bond service, no suitable vacancies were available. While so, the Government issued G.O.Ms.17 dated 11.01.2024, reducing the bond period to one year for the petitioner's batch, effectively concluding her bond obligations by May 2023.

3. The petitioner thereafter made repeated requests to the respondents to return her original certificates, including her Post Graduate Certificate. However, the respondents did not comply with her request, the petitioner therefore filed W.P.No.31137 of 2022. This Court by an order, dated 23.11.2022, issued certain directions as stipulated therein. Even thereafter, the respondents failed to comply with the said directions.



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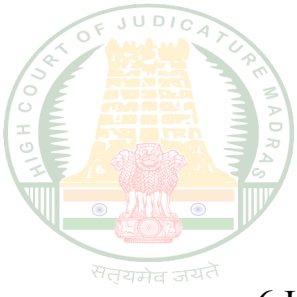
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4.Subsequently, in December 2024 the respondents issued show cause notice to the petitioner stating that though she had been issued posting order in Government Hospital, Kovindapadi, Erode District, she failed to join. But, according to the petitioner, she never received any such posting order. In any event, since her bond period was already over, the petitioner submitted that she was entitled to return of her certificates and hence the retention of the same by the 5th respondent was unlawful.

5.Admittedly, the petitioner completed her course in May 2022, and the bond originally executed for two years, was subsequently reduced to one year vide Government Order issued on 11.01.2024. Therefore, the petitioner's bond obligations concluded in May 2023, once the petitioner's bond obligations were completed there could be no justification for the 5th respondent to retain the petitioner's certificates.

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6. In the light of the aforesaid facts, 5th respondent is directed to return the petitioner's original certificates and documents, including her Post Graduate Degree Certificate within a period of four weeks from the date of receipt of a copy of this order.

7. Accordingly, the writ petition stands allowed. No Costs. Consequently, connected miscellaneous petitions are closed.

07.02.2025

vsn

Internet: Yes/No

Index: Yes/No

Speaking/Non-speaking order



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To

1.The Principal Secretary,
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Secretariat, Chennai- 600 009.

2.The Director of Medical Education,
Kilpauk, Chennai- 600 010.

3.The Director of Medical Health and
Rural Health Service,
359, Anna Salai, Chennai- 600 006.

4.The Director of Public Health and
Preventive Medicine,
359, Anna Salai, Chennai- 600 006.

5.The Dean,
Madras Medical College,
E.V.R.Salai, Chennai- 600 003.



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N.Mala,J.

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