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W.P.No. 44095 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 24.11.2025

CORAM

THE HONOURABLE Mr. JUSTICE N. ANAND VENKATESH

W.P.No.44095 of 2025

Udhayalakshmi.T

.... Petitioner

Vs

1.State of Tamil Nadu

Represented by its Secretary  
Health and Family Welfare Department  
Fort St.George, Chennai – 600 009.

2.The Director of Medical Education

Kilpauk, Chennai – 600 010.

3.The Director of Medical and Rural Health Services

Anna Salai, Chennai.

4.The Directorate of Public Health and Preventive Medicine

Anna Salai, Teynampet  
Chennai – 600 086.

5.The Dean

Thoothukudi Medical College  
Thoothukudi.

6.The Dean

Government Villupuram Medical College  
Villupuram.

... Respondents



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PRAYER : Writ Petition filed under Article 226 of Constitution of India praying to issue a Writ of Mandamus directing the respondents to forthwith return the original certificates of the petitioner that were submitted by her at the time of her admission to course of Master of Surgery (M.S.) Obstetrics and Gynaecology in the 5<sup>th</sup> respondent College and pass orders.

For Petitioner : Ms.S.Shanmitha

For Respondents : Mr.K.Tippu Sultan  
Government Advocate for R1 to R5

### **ORDER**

This writ petition has been filed for issue of Writ of Mandamus directing the respondents to return back the original certificates of the petitioner that was submitted by her at the time of admission to the course of M.S. Obstetrics and Gynaecology in the fifth respondent-College.

2. Heard Ms.S.Shanmitha, learned counsel appearing for the petitioner and Mr.K.Tippu Sultan, learned Government Advocate appearing for respondents 1 to 5.

3. The specific case of the petitioner is that she has completed the course of Obstetrics and Gynaecology in the Government Thoothukudi



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Medical College during the year May 2019 - May 2022. Initially the bond period was for a period of two years and this was reduced to one year by virtue of G.O. Ms.No.17 dated 11.01.2024. Accordingly, the bond period to be undergone by the petitioner was from May 2022 to May 2023.

4. The posting order was given to the petitioner on 07.07.2022 to serve as Assistant Surgeon in the 6<sup>th</sup> respondent-College. The petitioner served in the 6<sup>th</sup> respondent College from 20.07.2022 to 01.02.2023. Thereafter, the petitioner availed maternity leave from 01.02.2023. As on that date, three months bond period was remaining to be completed by the petitioner.

5. The petitioner is relying upon the judgment of the Division Bench of this Court in W.A.(MD) No.860 of 2023 dated 19.06.2025, wherein the Division Bench of this Court made it clear that the maternity leave period shall be included in the bond period and the same has to be accounted as part of the bond period. In view of the same, the petitioner contends that the remaining three months bond period, during which, she has availed the maternity leave, will also form part of the bond period and therefore, no period is left for the petitioner to render her service under the bond. It is under these circumstances, the petitioner has approached this Court and



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sought for a direction to the fifth respondent to return back all the original certificates.

6. In the considered view of this Court, the position of law is now too well settled. The Division Bench of this Court has already held that the maternity period has to be accounted as a part of the bond period. If that is so, the three months bond period that was remaining when the petitioner had availed the maternity leave, will be accounted within the bond period. In such an eventuality, the petitioner is entitled for the return of the original certificates from the fifth respondent-College.

7. In view of the above, there shall be a direction to the fifth respondent to verify the particulars and if the one year bond period is already completed by including the maternity period as part of the bond period, the original certificates shall be handed over to the petitioner.

8. This writ petition is disposed of in the above terms. No costs.

**24.11.2025**



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Index : Yes / No

Neutral Citation : Yes / No

Speaking Order / Non-speaking orders

To:

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N. ANAND VENKATESH., J

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