



WEB COPY



W.P.No.44445 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 10.12.2025

CORAM:

THE HONOURABLE MR. JUSTICE **D.BHARATHA CHAKRAVARTHY**

W.P.No.44445 of 2025
and
W.M.P. No.49571 of 2025

1. Dr.Pavankumar Evuri
2. Dr.Rajeevan.S.
3. Dr.Debapratim Routh
4. Dr.Arun Devjibhai Solanki
5. Dr.Sambit Kumar Bhuyan
6. Dr.Niranjan N.K.

... Petitioners

Vs

1. The State of Tamil Nadu,
Represented by its Principal Secretary,
Health and Family Department,
Secretariat, Chennai – 600 009.
2. Directorate of Medical Education and Research,
Represented by its Director,
Kilpauk, Chennai – 600 010.
3. Directorate of Public Health and Preventive Medicine,
Represented by its Director,
359, Anna Salai, Chennai - 600 006.
4. Directorate of Medical and Rural Health Services,
Represented by its Director,
359, Anna Salai, Chennai - 600 006.
5. Madras Medical College,
Represented by its Dean,
E.V.R. Salai, Chennai – 600 003.

... Respondents



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Prayer: Writ Petition filed under Article 226 of Constitution of India for an issuance of Writ of Mandamus directing the 5th respondent to return the petitioners' original certificates submitted at the time of admission to the 5th respondent along with their super specialty degree certificate.

For Petitioner : Mr.Suhrith Parthasarathy

For Respondents : Mr.E.Sundaram
Government Advocate

ORDER

This writ petition is filed for a Mandamus directing the 5th respondent to return the petitioners original certificates submitted at the time of admission to the 5th respondent along with their super specialty degree certificate and to pass such further or other orders.

2. Heard *Mr.Suhrith Parthasarathy*, learned Counsel for the petitioner and perused the affidavit filed in support of the writ petition and the material records of the case.

3. The grievance of the petitioners are that the petitioners are admitted in the 5th respondent College for the academic year 2019 - 2020 through All India quota. As a mandatory precondition to secure admission, the petitioners were required to submit the originals of various documents including 12th Standard Marksheet, MBBS Degree Certificates, CRRI



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completion certificates, MBBS mark sheets, Medical Council Registration certificates, Post Graduation Certificates etc., They were also required to execute a bond, undertaking to serve the Government for a period of two years, post completion of the course, if called upon to do so, failing which, they were made liable to pay a sum of Rs.50,00,000/- each. The petitioners completed the DM (Medical Gastroenterology) Course in September 2022. Thereafter, they did not receive any intimation regarding the counseling for issue of postings nor any compulsory bond postings issued to them. The two year bond period accordingly, concluded in September, 2024. Thereafter, when the petitioners visited the Office and requested for the return of the certificates, there was no response and therefore, the present writ petition.

4. The writ petition is resisted by the respondents on the ground that in respect of petitioners 1, 2, 4 and 6, actually the posting orders were issued within the bond period and it is their mistake, that they have not joined duty and therefore, the certificates cannot be returned to them unless they satisfy the bond service or pay the penalty as prescribed under the bond.

5. In reply thereof, the learned Counsel appearing on behalf of the petitioners submit that the petitioners were required to submit a Proforma and they duly submitted the Proforma mentioning their addresses. When they have



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made mentioned their addresses clearly in the Proforma, the posting orders were never communicated to them. It is the specific case of the petitioners that the posting orders were never intended to serve on them and no such information was ever passed on to the petitioners.

6. When this Court directed the production of the posting orders, it can be seen that it was addressed to the respective hostel of the institutions. When the students have completed the education and have left the institution, the respondents should have done well to either address it to the addresses that are mentioned in the Proforma or even when the petitioners 1, 2, 4 and 6 have not reported pursuant to the posting orders, no further steps seem to have been taken by the respondents to contact them and muster their services for the Government Hospitals. Therefore, I have to only conclude that there was no valid posting orders that were issued in respect of all the petitioners during the entire bond. The law in that regard has been settled by way of Judgment of this Court passed in W.A.No.799 of 2019 etc.,dated 06.10.2020 whereby it has been made clear that if no posting orders were issued during the subsistence of the bond, thereafter, the same cannot be enforced.



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7. In view thereof, all these petitioners are entitled for the prayer made in the writ petition. Accordingly, the Writ Petition stands **allowed**. The respondents shall handover the certificates and the other documents to the petitioners within a period of three (3) weeks from the date of receipt of the web copy of the order without waiting for the certified copy. Consequently, connected miscellaneous petition is closed. No costs.

10.12.2025

(2/2)

Neutral Citation: Yes/No
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To

1. The Principal Secretary,
Health and Family Department,
Secretariat, Chennai – 600 009.
2. The Director,
Directorate of Medical Education and Research,
Kilpauk, Chennai – 600 010.
3. The Director,
Directorate of Public Health and Preventive Medicine,
359, Anna Salai, Chennai - 600 006.
4. The Director,
Directorate of Medical and Rural Health Services,
359, Anna Salai, Chennai - 600 006.
5. The Dean,
Madras Medical College.



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D.BHARATHA CHAKRAVARTHY, J.

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