



W.P.(MD)No.398 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 26.03.2025

CORAM:

THE HONOURABLE MR.JUSTICE VIVEK KUMAR SINGH

W.P.(MD)No.398 of 2025

Disha Debbarma

... Petitioner

-VS-

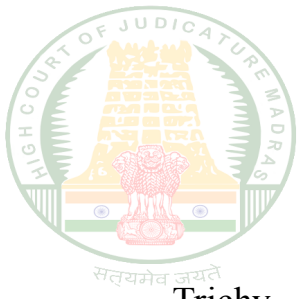
1. The Principal Secretary to Government,
Health and Family Welfare Department,
Secretariat, Fort St. George,
Chennai.

2. The Director of Medical Education,
The Directorate of Medical Education,
Kilpauk, Chennai - 600010.

3. The Deputy Director of Medical Education,
The Directorate of Medical Education,
Kilpauk, Chennai - 600010.

4. The National Medical Council,
Represented by its Secretary,
Pocket 14, Sector -8 Dwarka Phase I,
New Delhi - 110077.

5. The Dean,
KAP Viswanathan Government Medical College,
Periyamilaguparai,
Collectors Office Road,



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Trichy - 620001.

6. The Director of Public Health and Preventive Medicine,
Chennai.

(R6 is *suo motu* impleaded vide Court
Order Dated.07.01.2025 in WP(MD).
398 of 2025).

... Respondents

PRAYER:- Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the fifth respondent to return the petitioner's original certificates and documents collected during the admission of post-graduation (MD Microbiology) along with the Provisional Certificate in the light of the order dated 06.10.2022 by the Hon'ble Madras High Court in W.A.No. 2256 of 2022, within the time period stipulated by this Hon'ble Court.

For Petitioner : Mr.T.Aswin Raja Simman

For Respondents : Mr.V.Om Prakash
Government Advocate for R1 to R3, R6
Ms.Subha Ranjini Ananth
Standing Counsel for R4

ORDER

The petitioner has filed the present writ petition for a direction to the fifth respondent to return her original certificates and documents collected during the admission of Post-Graduation (MD Microbiology) along with the provisional certificate in the light of the order passed by this Court dated 06.10.2022 in W.A.No. 2256 of 2022, within the specified time frame.



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2. By consent of both parties, the Writ Petition is taken up for final disposal at the admission stage itself. Having regard to the nature of the order proposed to be passed in this writ petition, notice to the fifth respondent is dispensed with.

3. The case of the petitioner is that she pursued an MD (Microbiology) degree at the fifth respondent college during the academic year 2019–2022. At the time of admission, the petitioner was required to submit all her original certificates and documents to the fifth respondent college as a compulsory prerequisite for securing PG admission. The grievance of the petitioner is that even after the expiry of the bond period and despite repeated requests to the fifth respondent to return the original certificates and documents, they have not been returned. In this regard, the petitioner submitted a representation to the respondents, requesting to return the original certificates. However, since no action has been taken, the petitioner has now filed the present writ petition. The learned counsel for the petitioner also relied upon the decision of a Hon'ble Division Bench of this Court in W.A.Nos.2256, 2257 and 2259 of 2022, dated 06.10.2022, wherein this Court dealt with similar issues in other



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cases.
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4. Per contra, the learned Government Advocate appearing on behalf of the respondents 1 to 3 and 6, submitted that the petitioner has not fulfilled the bond conditions and therefore, the respondents are not in a position to return the certificates.

5. Heard the learned counsel for the parties and perused the materials available on record.

6. Upon considering the submissions made by both parties and also taking note of the order passed by this Court in W.A.Nos.2256, 2257 and 2259 of 2022, dated 06.10.2022, this Court finds it appropriate to direct the fifth respondent to return the petition mentioned original certificates to the writ petitioner forthwith and without any delay. The respondents are at liberty to proceed against the writ petitioner for violation of bond conditions in the manner know to law.



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7. With the above directions, the Writ Petition stands disposed of.

There shall be no order as to costs.

NCC : Yes / No

26.03.2025

Index : Yes / No

PKN

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VIVEK KUMAR SINGH, J.

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