



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 20-02-2026

CORAM

WEB COPY THE HON'BLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

W.P. No.4032 of 2026

Dr.R.Narayane,
D/o.Rajasekaran,
Ram Nivas,
No.10, Vanatharayan Palayam Street,
Kilnathur,Tiruvannamalai District.

..Petitioner(s)

Vs

1. The Principal Secretary,
to Government of Tamil Nadu,
Health and Family Welfare Department,
Secretariat, Chennai-600 009.
2. The Director of Medical Education,
Chetpet, Chennai-600 010.
3. The Director of Medical and Rural Health
Services, Teynampet,
Chennai-600 006.
4. The Dean,
Kilpauk Medical College,
Chennai-600 010.

..Respondent(s)

PRAYER: Writ Petition filed under Article 226 of the Constitution of India praying for a Writ of Mandamus directing the respondents 2 to 4 to return the original bank guarantee issued in favour of the 4th respondent on 10.12.2020 for a sum of Rs.10,00,000/- (Rupees Ten Lakhs Only) and post dated cheques for a sum of Rs. 10,66,666/- (Rupees Ten Lakhs sixty six thousand six hundred and Sixty six only) to the petitioner and cancel her bond service.



dated 01.04.2024, the petitioner reported before the Director of Medical and Rural Health Services and also the Dean, Kilpauk Medical College to complete her balance four and half months bond service. Thereafter, she followed it up by another e-mail dated 13.01.2025. Even then the petitioner was not issued any posting orders, she once again sent a reminder on 09.11.2025, for which, there was no response. It is decided by this Court that if no posting order is issued within the bond period, the petitioner must be relieved from the bond service and the bank guarantee which had already expired should be treated as unenforceable. Further, the cheque should be returned to the petitioner.

4. Per contra, the learned counsel appearing on behalf of the respondents would submit that as directed by this Court earlier in W.P.No.15363 of 2020 dated 29.10.2020, the petitioner ought to have reported before the Director of Medical and Rural Health Services, Chennai with all the original certificates in person. It was further submitted that all these candidates know the procedure that they have to physically report with the certificates, sending a casual e-mail will not amount to reporting for duty and submitted that even now, the Government is willing to issue posting orders to the petitioner.

5. Though the Court has to decide whether the successive e-mails sent by the petitioner would amount to proper reporting for the duty or not, in reply to the submission made by the learned counsel for the respondents, it is now



submitted by the learned counsel appearing on behalf of the petitioner that if the posting order is issued now, the petitioner is willing to serve the balance four and half months service.

6. In view thereof, the writ petition is disposed of on the following terms:

i) The petitioner shall report in person before the 3rd respondent along with original certificates within a period of one week from the date of uploading of the web copy of this order, without waiting for receipt of certified copy of the order.

ii) Upon the petitioner's reporting, forthwith the posting order shall be issued and the original certificates can be obtained by the 3rd respondent and a letter to the effect that the bank guarantee is duly discharged by returning the bank guarantee and the cheque forms can be given back to the petitioner.

iii) If the 3rd respondent does not acknowledge the presence of the petitioner, the petitioner will be entitled to send an e-mail and also a representation through registered post on the same day in writing, clearly mentioning that she was present before the 3rd respondent on the particular date, time and that no posting order has been issued to her.

iv) If the posting order is not issued immediately upon the petitioner's reporting, the same shall be issued at least within a period of one week from the date of reporting of the petitioner. However, if no posting is issued within a period of one week from the date of reporting, thereafter, the petitioner will be



deemed to have been discharged from the bond service and the bank guarantee shall be deemed to be unenforceable and the original of the duly discharged bank guarantee as well as the cheque shall be returned to the petitioner within a period of two weeks therefrom. There shall be no order as to costs.

20-02-2026

Index: Yes/No
Speaking/Non-speaking order
Neutral Citation: Yes/No

MKA

To:

1. The Principal Secretary
to Government of Tamil Nadu ,
Health and Family Welfare Department,
Secretariat, Chennai-600 009.
2. The Director of Medical Education
Chetpet, Chennai-600 010.
3. The Director of Medical and Rural Health Services
Teynampet, Chennai-600 006.
4. The Dean,
Kilpauk Medical College,
Chennai-600 010.



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D.BHARATHA CHAKRAVARTHY J.

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