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W.P.No.4766 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.02.2026

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THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.No.4766 of 2026

And

W.M.P.Nos.5302 and 5303 of 2026

Dr.G.Ragapriya

... Petitioner

Vs.

- 1 The State of Tamil Nadu
Rep. by its Additional Chief Secretary to Government,
Health and Family Welfare Department,
Secretariat, Fort St.George,
Chennai – 600 009.
- 2 The Director of Medical Education and Research,
Kilpauk,
Chennai – 600 010.
- 3 The Director of Public Health and Preventive Medicine,
DMS Compound,
Anna Salai,
Teynampet,
Chennai – 600 006.
- 4 The Dean,
Government Chengalpattu Medical College,
Chengalpattu and District 603 001. ... Respondents

Prayer:

Petition filed under Article 226 of the Constitution of India to issue a Writ of Certiorarified Mandamus to call for the records relating



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to the impugned order issued by the third respondent in R.No.10434732/PHC5/A3/2025-1 dated 14.08.2025 (served on the Petitioner on 03.12.2025) and to quash the same and consequently directing the Respondents to pass orders accepting the resignation of the petitioner from the post of Senior Resident and to relieve the Petitioner from service, by settling the service benefits including arrears of annual increments along with interest at the reasonable rate and CPS contribution etc.

For Petitioner : Mr.G.Sankaran
Senior Counsel
for M/s.S.Nedunchezhiyan

For Respondents : Mr.K.Tippusulthan
Government Advocate

O R D E R

The petitioner has filed this writ petition seeking issuance of Writ of Certiorarified Mandamus to call for the records relating to the order issued by the third respondent in R.No.10434732/PHC5/A3/2025-1 dated 14.08.2025 (served on the petitioner on 03.12.2025) and to quash the same and consequently directing the respondents to pass orders accepting the resignation of the petitioner from the post of Senior Resident and to relieve the petitioner from service, by settling the service benefits including arrears of annual increments along with interest at the reasonable rate and CPS contribution etc.



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2.The learned Senior Counsel appearing for the petitioner submitted that the petitioner was qualified with MBBS in the year 2016 and was selected and appointed to the post of Assistant Surgeon through Medical Services Recruitment Board on 31.03.2017. The petitioner completed Post Graduate medical course M.D (Radiotherapy) in Madras Medical College as a service candidate in the year 2022. The petitioner's expertise in Radiotherapy was entirely disregarded and her services were utilized as Medical Officer and annual increment was not sanctioned to her despite the fact that she cleared the Departmental Examination during May, 2017, thereby causing substantial financial loss to the petitioner. In the meantime, the petitioner suffered severe anxiety, palpitations and urinary problems and cardiological problems and due to the poor health conditions and family circumstances, the petitioner submitted representation for resignation from service.

3.The learned Senior Counsel appearing for the petitioner further submitted that since the petitioner's representation for resignation from service was not considered, the petitioner filed W.P.No.13569 of 2025 seeking direction to the respondents to pass



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orders accepting the resignation of the petitioner and this Court vide order dated 16.04.2025 directed the respondents to examine the service register of the petitioner and the petitioner's letter for resignation dated 01.03.2025 and to pass appropriate orders. Thereafter, the respondents passed order dated 16.07.2025 directing the petitioner to settle a sum of Rs.45,66,265/- into Government account and challenging the same, the petitioner filed W.P.No.46449 of 2025 and during the pendency of the said writ petition, the respondents passed order dated 14.08.2025 rejecting the request of the petitioner under Section 50 of the Tamil Nadu Government Servants (Conditions of Service) Act, 2016 and hence on 03.12.2025, W.P.No.46449 of 2025 was dismissed as withdrawn with liberty to the petitioner to challenge the order dated 14.08.2025. Challenging the order of the third respondent dated 14.08.2025, this writ petition has been filed.

4.The learned Senior Counsel appearing for the petitioner further submitted that the petitioner is entitled for more than Rs.17 Lakhs towards salary and other service benefits. The petitioner is now ready to pay the entire bond amount. Hence, this Court may without



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going into the merits of the case, permit the petitioner to pay the bond amount and grant liberty to the petitioner to work out the remedy in the manner known to law with regard to the service benefits payable by the respondents and issue direction to the respondents to accept the petitioner's resignation.

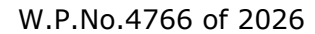
5.The learned Government Advocate appearing for the respondents, on the basis of written instructions from the third respondent submitted that the petitioner has been on unauthorised absence from duty from 18.09.2024 to till date and no disciplinary action was initiated against her for her unauthorised absence from duty and while examining the application for resignation of the petitioner, the third respondent as the competent authority considered that necessary disciplinary action was contemplated against the petitioner for her unauthorised absence from duty beyond six months while she was still a probationer. The learned Government Advocate further submitted that the petitioner had undergone Post Graduate Course M.D. (Radiotherapy) at Madras Medical College, Chennai as a service candidate from 01.05.2019 to 20.06.2022. As reported by the fourth respondent in letter dated 17.07.2025, the bond amount of



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Rs.45,66,265/- was pending to be remitted by the petitioner being the contractual obligation executed by the petitioner for having undergone the Post Graduate course as a service candidate. Hence, the third respondent decided to reject the resignation tendered by the petitioner under Section 50 of the Tamil Nadu Government Servants (Conditions of Service) Act, 2016.

6.The learned Government Advocate appearing for the respondents further submitted that the specialty of the petitioner may not be the impediment for the acceptance of the resignation tendered by the petitioner, however, while executing the contractual obligation for Post Graduate Course as a service candidate, the petitioner submitted that she would serve under the Government till her superannuation. Hence, the petitioner is liable to remit the bond amount of contractual obligation as executed by herself, if the resignation tendered by the petitioner is to be accepted. The learned Government Advocate further submitted that if the petitioner is ready to pay the entire bond amount with interest, the petitioner will be immediately relieved from service.



8. The petitioner was qualified with MBBS in the year 2016 and was selected and appointed to the post of Assistant Surgeon through Medical Services Recruitment Board on 31.03.2017. The petitioner completed Post Graduate medical course M.D (Radiotherapy) in Madras Medical College as a service candidate in the year 2022, however, her services were utilized as Medical Officer. Since the petitioner suffered some health conditions and due to her family circumstances, the petitioner submitted representation for resignation from service, however, the same was rejected, since while executing the contractual obligation for Post Graduate Course as a service candidate, the petitioner submitted that she would serve under the Government till her superannuation.

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amount and hence, there is no legal impediment to accept the petitioner's resignation after receipt of the bond amount.

10. In view of the above, the petitioner is directed to pay the bond amount within a period of four weeks from the date of receipt of a copy of this order. After receipt of the bond amount from the petitioner, the respondents are directed to relieve the petitioner forthwith. Liberty is granted to the petitioner to work out the remedy in the manner known to law with regard to the service benefits payable by the respondents.

11. With the above observations, the writ petition stands disposed of. No costs. Consequently, the connected miscellaneous petitions are closed.

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Index: Yes/ No
Speaking Order: Yes/ No
NCC: Yes/ No



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To

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