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WP No. 11653 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 30-03-2026

CORAM

THE HON'BLE MS. JUSTICE P.T. ASHA

WP No. 11653 of 2026

and

WMP Nos.13579 & 13582 of 2026

Dr.B.Beryl Ida,

D/o. Benet Duraisamy

Petitioner

Vs

1. The State of Tamilnadu,
Represented by its Principal Secretary,
Health and Family Welfare Department, Secretariat, Chennai-9.
2. Directorate of Medical Education,
Represented by the Director of Medical Education,
Kilpauk, Chennai-10.
3. Directorate of Medical and Rural Health Services,
Represented by the Director of Medical Health
and Rural Health Services,
No.359, Anna Salai, Chennai-06.
4. Directorate of Public Health and Preventive Medicine,
Represented by the Director of Public Health
and Preventive Medicine,
No.359, Anna Salai, Chennai-06.



5. Government Tirunelveli Medical College,
Represented by its Dean,
Tirunelveli - 627 011.

... Respondents

This writ petition filed under Article 226 of Constitution of India to issue a writ of certiorarified Mandamus to call for the records pertaining to the impugned revised posting order issued by the 4th respondent vide R.No.4655322/E5/A4/2023 dated 21.02.2026 and quash the same in so far as the period and place of posting is concerned and consequently to direct the 4th respondent to post the petitioner within Tirunelveli District.

For Petitioner(s): Mr. K.Dhivyashree

For Respondent(s): Mr. Bindran, AGP

ORDER

The writ petition has been for issuance of a writ of Certiorarified Mandamus, to quash the impugned revised posting order issued by the fourth respondent vide R.No.4655322/E5/A4/2023 dated 21.02.2026 insofar as it relates to the period and place of posting of the petitioner, and consequently to direct the fourth respondent to post the petitioner within Tirunelveli District.



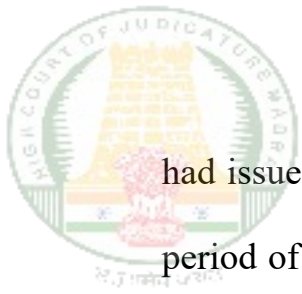
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2. The brief facts, which have been stated in the affidavit filed in support of the writ petition is herein:-

The case of the petitioner is that she is a doctor, who completed her undergraduate course and obtained her MBBS degree from Government Tirunelveli Medical College in the year 2019. In June 2020, she had joined the Postgraduate Course in MS (Obstetrics and Gynaecology) under the non-service category at Government Tirunelveli Medical College, the fifth respondent herein. She completed the said course in January 2024.

3. At the time of admission, the petitioner had executed a bond for a sum of Rs.40 lakhs undertaking to serve the State for a period of two years after completion of her post graduate course and submitted her original certificates. Subsequently, the said period of two years was reduced to one year by virtue of G.O.Ms.No.351 Health and Family Welfare (MCA-1) Department, dated 27.10.2023.

4. The petitioner had completed her postgraduate course in January 2024. However, no posting order was issued immediately to enable her to commence her compulsory bond service. Thereafter, on 07.11.2024, the fourth respondent



had issued a posting order appointing her as Assistant Surgeon for a minimum period of one year, and she was posted at Government Hospital, Srivaikundam, Thoothukudi District

5. At that time, the petitioner was pregnant and, therefore, by e-mail dated 18.11.2024, she requested postponement of her joining date due to her high-risk twin pregnancy. On 30.01.2025, the Joint Director of Health Service, Thoothukudi, directed her to report for duty, to which she responded on 13.02.2025 requesting further postponement due to her health condition. On 21.05.2025, she had given birth to her children.

6. After recovering from her post-partum period, she submitted representations to respondents 2 to 4 seeking fresh posting orders to enable her to complete the bond service. Subsequently, on 21.02.2026, the fourth respondent issued a revised posting order appointing her as Assistant Surgeon to complete the one-year bond service at Government Hospital, Kovilpatti, Thoothukudi District.



7. Now, the grievance of the petitioner is that her maternity leave period ought to be excluded, and therefore, she is required to serve only for a reduced period of three months. It is contended that due to administrative delay in issuing the posting order, she could not join earlier, and hence, she cannot be compelled to complete the full one-year bond period.

8. Heard the learned counsels on either side and perused the materials available on records.

9. The contention of the petitioner that she is required to serve only one year appears to be correct in the light of G.O.Ms.No.351. However, the further contention that she is liable to serve only for a shorter period of three months cannot be accepted. The records reveal that the petitioner herself had requested postponement of her joining due to pregnancy, in response to the communication dated 07.11.2024 issued by the Director of Public Health and Preventive Medicine, Chennai.

10. Having accepted the obligation to serve the one year bond period, the petitioner cannot subsequently seek reduction of the said period on her own understanding. The delay in joining cannot be attributed solely to the



respondents, as petitioner herself had sought postponement. Therefore, this Court finds no reason to interfere with the impugned posting order/

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11. Accordingly, this Writ Petition is dismissed. Consequently, connected miscellaneous petitions are closed. No costs.

30-03-2026

Index: Yes/No

Speaking/Non-speaking order

Neutral Citation: Yes/No

MRP

To

1. The Principal Secretary

The State of Tamilnadu,
Health and Family Welfare Department,
Secretariat, Chennai-9.

2. Directorate of Medical Education,
Represented by the Director of Medical
Education, Kilpauk, Chennai-10.

3. Directorate of Medical and Rural Health
Services,
Represented by the Director of Medical Health
and Rural Health Services, No.359, Anna Salai,
Chennai-06.



4. Directorate of Public Health and Preventive
Medicine,
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