



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 08-01-2026

CORAM

THE HONOURABLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

**WP No. 49769 of 2025
W.M.P.No.55655 of 2025**

Dr.Abinaya S

Petitioner(s)

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 Annasalai, Chennai 600 006.

4.Directorate of Medical and Rural
Health Services
Represented by its Director,
359 Annasalai, Chennai 600 006.

5.Government Stanley Medical College
Represented by its Dean,
No.1, Old Jail Road, Chennai 600 001.

Respondent(s)



PRAYER:- Writ Petition is filed under Article 226 of the Constitution of India, pleased to issue a Writ of Mandamus or any other writ, order, or direction in the nature of a Writ of Mandamus directing the 5th respondent to return the petitioner's 12th certificate, M.B.B.S. mark sheets and degree certificate, CRRI Completion Certificate and M.D.Mark sheets and certificate.

For Petitioner(s): M/s.Suhrith Parthasarathy

For Respondent(s): Mr.E.Sundaram
Government Advocate
For R1 to R5

ORDER

The case of the petitioner is that she joined the Post Graduate course in M.D. (Microbiology) in the 5th respondent college as a non-service Doctor in the year 2015 – 2016 and she executed a bond obligating her to serve the Government for a period of two years post course completion if required. Additionally she was also mandated to submit her original education certificate as a pre-condition for admission. In May 2018, the petitioner completed her three year course. Thereafter, on 03.08.2018, the petitioner was issued compulsory posting order assigning her to Government Hospital, Ambur. At that time, the petitioner was to take care of her nine month old child and in view of the considerable distance of the assigned location she was unable to join the posting. Thereafter, she made a representation on 20.08.2018 and made a



request that she be considered for posting at Chennai. On 25.10.2018, the respondent issued a letter directing the petitioner to either report to the fourth respondent or to pay the bond amount within fifteen days.

2. Under the said circumstances, the petitioner made a formal request for return of her certificates on 11.06.2024, since the same was not complied with, the petitioner filed W.P.No.9846 of 2025 seeking a direction to return her original certificates. On 12.09.2025, a direction was issued in the said Writ Petition directing the respondents to issue posting orders within a period of two weeks. The petitioner also duly made a representation as per the direction contained in the said order on 26.09.2025. Even thereafter, neither any posting order was issued nor the certificates were returned to the petitioner and therefore, the petitioner is before this Court.

3. The learned counsel appearing on behalf of the respondents though would oppose the application by stating that the petitioner is duty bound to serve, could not refute the fact that in spite of direction by this Court and the representation of the petitioner no posting order has been issued to the petitioner. Since, the respondents have not issued any posting order as per the direction given in W.P.No.4846 of 2025 they are duty bound to return the original certificates of the petitioner. In view thereof, the Writ Petition is allowed with a direction to the respondents to return the original certificates



within a period of two weeks from the date of receipt of the web copy of the order without waiting for the certified copy of the order.

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4.A copy of this order shall be marked to the Secretary, Department of Health and Family Welfare and the Directorate of Medical Education and it is for them to ensure a uniform policy is followed in respect of all the candidates and so far the Court is witnessing only a pick and choose policy, when it comes to issue of posting orders.

5.With the above directions and observations, the Writ Petition stands allowed. No costs. Consequently, connected Writ Miscellaneous Petition is closed.

08-01-2026

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Neutral Citation:Yes/No



To

1. The State of Tamil Nadu
Represented by its Principal Secretary,
Health and Family Department,
Secretariat, Chennai 600009.
2. Directorate of Medical Education and
Research
Represented by its Director, Kilpauk,
Chennai 600010.
3. Directorate of Public Health and
Preventive Medicine
Represented by its Director, 359
Annasalai, Chennai 600006.
4. Directorate of Medical and Rural
Health Services
Represented By Its Director, 359
Annasalai, Chennai 600006.
5. Government Stanley Medical College
Represented by its Dean, No.1 Old Jail
Road, Chennai 60001.
6. The Public Prosecutor
Madras High Court.



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D.BHARATHA CHAKRAVARTHY J.

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