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W.P.No.29155 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 12.08.2025

CORAM

THE HONOURABLE MR.JUSTICE C.KUMARAPPAN

W.P.No.29155 of 2025

and

W.M.P.Nos.32715, 32719, 32722 and 32725 of 2025

Dr.Indhuja V

... Petitioner

Vs.

1.The State of Tamil Nadu,
Represented by its Principal Secretary,
Health and Family Welfare Department,
Secretariat, Chennai – 600 009.

2.The Directorate of Medical Education,
Represented by the Deputy Director of Medical Education,
Kilpauk, Chennai – 600 010.

3.The Director,
Public Health and Preventive Medicine,
Chennai – 600 006.

4.The Dean,
Madras Medical College,
Triplicane,
Chennai

... Respondents



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Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus, to call for the orders passed by the 3rd respondent under R.No.10305312/E5/A4/2025, dated 26.05.2025 signed on 26.06.2025, issued through the 4th Respondent on 22.07.2025 and to quash the same as unconstitutional and further direct the Respondents 1 and 2 to direct the 4th respondent to return the (1) Original 12th Mark Sheet (2) Original UG 4 years Mark Sheets (3) Original UG Degree Certificate (4) Original PG Provisional, (5) Original PG Mark Sheets, (6) Original PG Degree Certificate and all other original documents deposited by respective petitioner retained by the 4th Respondent regarding the Post-Graduation Courses of the petitioner respectively.

For Petitioner : Mr.K.R.Laxman

For Respondents : Mr.K.Tippu Sultan
Government Advocate

ORDER

By consent of both the learned counsel for the parties, the Writ Petition is taken up for final disposal, at the admission stage itself.



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2. The instant writ petition has been filed with a prayer for issuing a Writ of Certiorarified Mandamus, to quash the posting order passed by the 3rd respondent under R.No.10305312/E5/A4/2025, dated 26.05.2025 signed on 26.06.2025, issued through the 4th Respondent on 22.07.2025 as unconstitutional and further, to direct the Respondents 1 and 2 to direct the 4th respondent to return the (1) Original 12th Mark Sheet (2) Original UG 4 years Mark Sheets (3) Original UG Degree Certificate (4) Original PG Provisional, (5) Original PG Mark Sheets, (6) Original PG Degree Certificate and all other original documents deposited by petitioner retained by the 4th Respondent regarding the Post-Graduation Courses of the petitioner respectively.

3. Heard the learned counsel for both sides and perused the materials available on record.

4. It is the submission of the learned counsel for the petitioner that the petitioner has joined Post Graduate Degree in the 4th Respondent-College for the academic year 2020-2023. It is the further submission of the petitioner that the petitioner has completed her course in the month of October-2023.



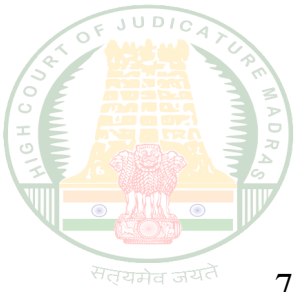
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The learned counsel for the petitioner would submit that the bond period though was originally fixed as two years, subsequently it was reduced to one year, for those who completed their PG course in the year October-2023. He would further submit that since the petitioner completed her course during October-2023, her bond service is only for one year, therefore, the posting order should have been issued within one year from October-2023. But in the case in hand, the 3rd respondent has issued a posting order on 26.05.2025, which is in contravention to the orders of this Court. Hence, prayed to issue a direction directing the respondent to return original certificates.

5. The learned Government Advocate appearing for the respondents would submit that according to the prospectus, the petitioner has to render two years bond service and would submit that one year bond service which the petitioner relies is not applicable to the petitioner.

6. I have given my anxious consideration to the submissions made on either side.



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7. While looking at the submissions of the learned counsel for the petitioner, he invites the attention of this Court about the order passed by the learned Single Judge on 15.04.2025 in W.P.No.13100 of 2025, wherein the present petitioner-Dr.V.Indhuja was arrayed as 4th petitioner. In Paragraph No.4 of the order passed W.P.No.13100 of 2025, dated 15.04.2025, the learned counsel for the respondents has represented before the Court that as against the present petitioner she has completed the PG Course in October-2023 and her bond period would come to an end in October-2024 and apart from that, as rightly contended by the learned counsel for the petitioner vide G.O.(Ms).No.351, dated 27.10.2023, the Government has reduced the bond period to one year, those who have completed the PG course in October-2023.

8. Admittedly, the petitioner had completed her PG Course in the year October-2023, therefore, as rightly contended by the learned counsel for the petitioner the bond period for the petitioner is only for one year, whereas admittedly the posting order was issued after one year. It is well settled principle of law that the posting order should have been issued within the bond period, as it is coextensive with bond period. Whereas in the case in



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hand, it was issued subsequent to the bond period. Therefore, this Court deems it appropriate to quash the posting order issued by the 3rd respondent in R.No.10305312/E5/A4/2025, dated 26.05.2025 signed on 26.06.2025. As a concomitant the respondents are directed to return all the original certificates to the petitioner, within the period of four weeks from the date of receipt of copy of this order.

9. In the result, the Writ Petition is allowed. No costs. Consequently, the connected writ miscellaneous petitions are closed.

12.08.2025
(1/2)

Index : Yes/No
Speaking order /Non Speaking Order
Neutral Citation : Yes/No
dm



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To
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- 1.The Principal Secretary,
State of Tamil Nadu,
Health and Family Welfare Department,
Secretariat, Chennai – 600 009.
- 2.The Deputy Director of Medical Education,
Directorate of Medical Education,
Kilpauk, Chennai – 600 010.
- 3.The Director,
Public Health and Preventive Medicine,
Chennai – 600 006.
- 4.The Dean,
Madras Medical College,
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Chennai



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C.KUMARAPPAN, J.

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(1/2)