



2026:KER:74996

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR.JUSTICE VIJU ABRAHAM

MONDAY, THE 28TH DAY OF SEPTEMBER 2026 / 6TH ASWINA, 1948

WP(C) NO. 9651 OF 2026

PETITIONERS:

- 1 GEORGE BALU
AGED 29 YEARS
S/O. BALU. P. MALIAKEL, MALIAKEL, CHERIYAVAPPALASSERY,
NEAR M S H S COLLEGE, NEDUMBASSERY VILLAGE, ALUVA,
ERNAKULAM,, PIN - 683573
- 2 FRAISHU F. J
AGED 30 YEARS
S/O. FRANCIS, 7/49B, KALLIYADAPPU, NADAIKKAVU,
CHATHENKODE P. O., VILAVANCODE, KANYAKUMARI, TAMIL
NADU, PIN - 629153
- 3 JIRNIA TOKO
AGED 32 YEARS
S/O. LATE JOTAM TOKO TAKAM, SECTOR - H, QUARTER NO- 3,
TYPE - 3, ITANAGAR, PAPUM PARE, ARUNACHAL PRADESH,, PIN
- 791111
- 4 ELIZABETH LALLAWMZUALI
AGED 29 YEARS
D/O. R. LALRAMNGHAKI, KHUMTUNG, THINGSULTHLIAH,
SERCHHIP, MIZORAM,, PIN - 796161
- 5 P. G. JAYALAKSHMI
AGED 37 YEARS
W/O. ANOOP M. A, PANCHAMI, MUNDERY, KALPETTA P. O.,
PINANGODE, WAYANAD,, PIN - 673121
- 6 LALHRUAIMAWIA
AGED 34 YEARS
/O. LALROLURA, 97, 97, CHIMM VENG, VAIRENGTE, NEAR SDPO
QUARTER, VAIRENGTE, KOLASIB, MIZORAM,, PIN - 796101



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- 7 **ANTOLIYA PAULSON**
AGED 32 YEARS
W/O. ANDREWS O. V., MELEPURAM HOUSE, POTTA P. O.,
CHALAKUDY,, PIN - 680722
- 8 **MOMIN MUHAMMAD FAROOQ**
AGED 29 YEARS
S/O. MOMIN MAHABOOB LIAQUATH ALI, 45-398/1, ASHOK
NAGAR, KURNOOL, KURNOOL DISTRICT, ANDHRA PRADESH,,
PIN - 518005
- 9 **SMITHA WILLIAM**
AGED 33 YEARS
D/O. WILLIAM. A, SMITHA BHAVAN, KAITHAKODU,
PAVITHRESWARAM, KAITHACODE, KOLLAM,, PIN - 691543
- 0 **AARDRA RAGEESH**
AGED 30 YEARS
D/O. M. D. RAGEESH, NANDANAM, NEDUMBASSERY, MEKKAD,
ERNAKULAM,, PIN - 683589
- 11 **LALNUNSANGA**
AGED 30 YEARS
S/O. LALTHANGLIANA, DINTHAR CANTEEN SECTION,
DINTHAR, KHAWZAWL, NEAR PRESBYTERIAN CHURCH, CHAMPAI
MIZORAM,, PIN - 796310
- 12 **NIVEDHA**
AGED 28 YEARS
D/O. GANESH, 53, RATHA THOPPU, KUDAMURUTTILAYAN
KARAI, BUDALUR TALUK, THIRUKKATTUPALLI, THANJAVUR,
TAMIL NADU,, PIN - 613104
- 13 **SISIKA K**
AGED 31 YEARS
D/O. SIVADASAN V, KANAKASREE, NEAR PETROL BUNK,
KOTTAYI P. O., PALAKKAD,, PIN - 678572
- 14 **MULI NIKHIL REDDY**
AGED 28 YEARS
S/O. M. BHASKAR REDDY, 2/73 A, MABBU,
CHINTHALAPALLI, VEMULA, CUDDAPAH, ANDRA PRADESH,,
PIN - 516349

BY ADVS.**SRI.RENJITH B.MARAR**



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SMT.LAKSHMI.N.KAIMAL
SRI.P.RAJKUMAR
SRI.KESHAVRAJ NAIR
SHRI.BIJU VIGNESWAR
SHRI.ARUN POOMULLI
SHRI.ABHIRAM.S.
SMT.GAADHA SURESH
SHRI.AKSHAY SHIBU
SHRI.FAYAS MUHAMMED S.
SHRI.ANANTHAPADMANABHAN
SHRI.ASHISH PAUL
SMT.LAXMISREE JAYANTHA KUMAR
SHRI.MURALI KRISHNA PRASAD

RESPONDENTS:

- 1 STATE OF KERALA
REPRESENTED BY PRINCIPAL SECRETARY, DEPARTMENT OF
HEALTH & FAMILY WELFARE, GOVERNMENT SECRETARIAT,
THIRUVANANTHAPURAM,, PIN - 695001
- 2 THE DIRECTOR OF MEDICAL EDUCATION
DIRECTORATE OF MEDICAL EDUCATION, MEDICAL COLLEGE
P.O., THIRUVANANTHAPURAM,, PIN - 695011
- 3 THE KERALA UNIVERSITY OF HEALTH SCIENCES
REPRESENTED BY ITS REGISTRAR, MEDICAL COLLEGE P.O.,
THRISSUR,, PIN - 680596
- 4 GOVERNMENT MEDICAL COLLEGE, KOZHIKODE
REPRESENTED BY ITS REGISTRAR, MAVOOR ROAD,
KOZHIKODE, PIN - 673004
- 5 GOVERNMENT MEDICAL COLLEGE, KANNUR
REPRESENTED BY ITS REGISTRAR, PARIYARAM, KANNUR,,
PIN - 670503
- 6 GOVERNMENT MEDICAL COLLEGE, KOTTAYAM
REPRESENTED BY ITS REGISTRAR, GANDHINAGAR,
ARPOOKKARA, KOTTAYAM,, PIN - 686008
- 7 GOVERNMENT MEDICAL COLLEGE, TRIVANDRUM
REPRESENTED BY ITS REGISTRAR, MEDICAL COLLEGE P. O,
THIRUVANANTHAPURAM,, PIN - 695011



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- 8 GOVERNMENT MEDICAL COLLEGE, KOLLAM
REPRESENTED BY ITS REGISTRAR, PARIPPALLY, KOLLAM,,
PIN - 691574
- 9 GOVERNMENT T. D. MEDICAL COLLEGE, ALAPPUZHA
REPRESENTED BY ITS REGISTRAR, MEDICAL COLLEGE P. O,
VANDANAM, ANJIPADAM,, PIN - 688005
- 0 GOVERNMENT MEDICAL COLLEGE, THRISSUR
REPRESENTED BY ITS REGISTRAR, MULAGUNNATHUKAVU,
THRISSUR,, PIN - 680596

BY ADVS.
GOVERNMENT PLEADER
SHRI.S.GANESH, SC, KERALA UNIVERSITY OF HEALTH
SCIENCES
SHRI.P.SREEKUMAR (SR.)

GP- ASHA ELIZABETH MATHEW

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON
28.09.2026, ALONG WITH WP(C).25441/2026, THE COURT ON THE SAME
DAY DELIVERED THE FOLLOWING:



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IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR.JUSTICE VIJU ABRAHAM

MONDAY, THE 28TH DAY OF SEPTEMBER 2026 / 6TH ASWINA, 1948

WP(C) NO. 25441 OF 2026

PETITIONERS:

- 1 BADDEVOLU PRIYANKA
AGED 29 YEARS
W/O. DR. P. RAMANATH REDDY, SWARNABHARATHI NAGAR,
GUDUR, NELLORE DISTRICT, ANDHRA PRADESH, PIN -
524101**
- 2 YARRANNAGARI DURGA RANI
AGED 28 YEARS
W/O. B. RAJESH REDDY, BOREDDIWARIKOTA,
THAMBALLAPALLE MANDAL, ANNAMAYYA DISTRICT, ANDHRA
PRADESH, PIN - 517418**
- 3 DR. ADHEENA JOHNY
AGED 35 YEARS
W/O. DR. PETER PAUL, REJIN NIVAS, MEVANAKONAM,
VANCHI MUKKU, KALLUVATHUKKAL, KOLLAM, PIN - 691578**
- 4 P. MANISHA
AGED 28 YEARS
D/O. P. PRABHAKAR, 5-824, DURGA NAGAR, SOMANDEPALLI,
SRI SATHYA SAI DISTRICT, ANDHRA PRADESH, PIN -
515122**
- 5 NIKKITHA SHELTON
AGED 33 YEARS
W/O. EBISON J WINSENT, WEST PALAVILA, KALLELIBHAGOM
P. O., KARUNAGAPPALLY, KOLLAM, PIN - 690519**
- 6 CHITHKALA K. S
AGED 32 YEARS
W/O. A. S. ANUSANKAR, KARAKKATTU SAHASRARAM HOUSE,
MADAPPALLY P. O., CHANGANACHERRY, KOTTAYAM, PIN -
686546**
- 7 DR. NEETHA ANN PAUL**



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AGED 37 YEARS
W/O. NITHIN SEBASTIAN, CHEKKITTATHOPPIL HOUSE,
SAKTHIKULANGARA, KOLLAM, PIN - 691581

8 DR. VISHNUDAS
AGED 32 YEARS
S/O. LATE K. M. KANAKADASAN, GURUKRIPA, MEPPAYIL P.
O., NEAR JANATHA ROAD WATER TANK, VADAKARA,
KOZHIKODE, PIN - 673104

9 DR. JESTY JOSE
AGED 30 YEARS
W/O. DR. JITHIN MATHEW, GRITS VILLA, PERUNGALLOOR,
AYOOR P. O., KOLLAM, PIN - 691533

BY ADVS.
SRI.RENJITH B.MARAR
SMT.LAKSHMI.N.KAIMAL
SRI.P.RAJKUMAR
SRI.KESHAVRAJ NAIR
SHRI.BIJU VIGNESWAR
SHRI.ARUN POOMULLI
SHRI.ABHIRAM.S.
SMT.GAADHA SURESH
SHRI.AKSHAY SHIBU
SHRI.ANANTHAPADMANABHAN
SHRI.ASHISH PAUL
SMT.LAXMISREE JAYANTHA KUMAR
SHRI.MURALI KRISHNA PRASAD

RESPONDENTS:

- 1 STATE OF KERALA
REPRESENTED BY PRINCIPAL SECRETARY, DEPARTMENT OF
HEALTH & FAMILY WELFARE, GOVERNMENT SECRETARIAT,
THIRUVANANTHAPURAM, PIN - 695001
- 2 THE DIRECTOR OF MEDICAL EDUCATION
DIRECTORATE OF MEDICAL EDUCATION, MEDICAL COLLEGE
P.O., THIRUVANANTHAPURAM, PIN - 695011
- 3 THE KERALA UNIVERSITY OF HEALTH SCIENCES
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THRISSUR, PIN - 680596



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- 4 GOVERNMENT MEDICAL COLLEGE, KOZHIKODE
REPRESENTED BY ITS REGISTRAR, MAVOOR ROAD,
KOZHIKODE, PIN - 67300
- 5 GOVERNMENT MEDICAL COLLEGE, KANNUR
REPRESENTED BY ITS REGISTRAR, PARIYARAM, KANNUR, PIN
- 670503
- 6 GOVERNMENT MEDICAL COLLEGE, KOTTAYAM
REPRESENTED BY ITS REGISTRAR, GANDHINAGAR,
ARPOOKKARA, KOTTAYAM, PIN - 686008
- 7 GOVERNMENT MEDICAL COLLEGE, TRIVANDRUM
REPRESENTED BY ITS REGISTRAR, MEDICAL COLLEGE P. O,
THIRUVANANTHAPURAM, PIN - 695011
- 8 GOVERNMENT MEDICAL COLLEGE, KOLLAM
REPRESENTED BY ITS REGISTRAR, PARIPPALLY, KOLLAM,
PIN - 691574
- 9 GOVERNMENT T. D. MEDICAL COLLEGE, ALAPPUZHA
REPRESENTED BY ITS REGISTRAR, MEDICAL COLLEGE P. O,
VANDANAM, ANJIPADAM, PIN - 688005
- 0 GOVERNMENT MEDICAL COLLEGE, THRISSUR
REPRESENTED BY ITS REGISTRAR, MULAGUNNATHUKAVU,
THRISSUR, PIN - 680596

BY ADVS.
SHRI.S.GANESH
SHRI.P.SREEKUMAR (SR.)
GP - ASHA ELIZABETH MATHEW

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR
ADMISSION ON 28.09.2026, ALONG WITH WP(C).9651/2026, THE
COURT ON THE SAME DAY DELIVERED THE FOLLOWING:



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VIJU ABRAHAM , J.

=====

WP(C) Nos.25441 & 9651 of 2026

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Dated this the 28th day of September, 2026**JUDGMENT**

Since a common issue is raised in both these writ petitions, they are heard and disposed of by a common judgment.

2. In WP(C) No.25441 of 2026, petitioners seek the following reliefs:-

(i) Declare that the compulsory service bonds executed by the Petitioners pursuant to Exhibit P-1, and all such similar bonds imposed as a condition for admission to PostGraduate Medical Courses in the State of Kerala, are illegal, arbitrary, unreasonable, and violative of the Petitioners Fundamental Rights under Articles 14, 19(1)(g), and 21 of the Constitution of India, and are accordingly void and unenforceable;

(ii) Declare that the bonded service of the Petitioners, including those who have already commenced duty, shall be reckoned from 26.12.2025 or from the date of publication of results (whichever may be applicable) and not from their respective dates of joining, and consequently direct the Respondents not to compel the Petitioners to render bonded service beyond one year from the date of Publication of result;

(iii) Declare that the inaction on the part of the Respondents in providing appointment and posting to the Petitioners for the purpose of discharging their compulsory bond service is illegal, arbitrary and unconstitutional, and hence violative of Articles 14 and 19(1)(g) of the Constitution of India;

(iv) Declare that the stipulation prescribing a one-year waiting period for exit in the event of delay in appointment by the State, as provided in Exhibit P-1 Prospectus, is arbitrary, unreasonable and



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unconstitutional, and consequently violative of Articles 14 and 19(1)(g) of the Constitution of India;

(v) Issue a Writ of Mandamus or any other appropriate Writ, Order or Direction directing the 2nd Respondent to forthwith release and return the original Degree Certificates of the Petitioners,

(vi) Issue a Writ of Mandamus or any other appropriate Writ, Order or Direction directing the Respondents to publish and maintain a transparent vacancy matrix with respect to the posts available for bond service in the various Government Medical Colleges, Hospitals and Primary Health Centres, so as to enable the Petitioners and similarly placed candidates to ascertain the availability of vacancies and the probable waiting period for their posting;

(vii) Issue a writ of Mandamus or any other appropriate Writ, Order or Direction directing the Respondents to evolve and implement a transparent and time-bound mechanism for allocation of postings to candidates liable to perform compulsory bond service;

(viii) Issue a Writ of Mandamus or any other appropriate Writ, Order or Direction directing the Respondents to publish, speciality-wise, the number of sanctioned and vacant Senior Resident posts across all disciplines and accommodate candidates across all specialities by creating additional posts in case of such deficit;

(ix) Issue such other and further orders as this Hon'ble Court may deem fit and proper in the facts and circumstances of the case.

3. The reliefs sought for in WP(C) No.9657 of 2026 are as follows:-

(i) Declare that the inaction on the part of the Respondents in providing appointment and posting to the Petitioners for the purpose of discharging their compulsory bond service is illegal, arbitrary and unconstitutional, and hence violative of Articles 14 and 19(1)(g) of the Constitution of India;

(ii) Declare that the stipulation prescribing a one-year waiting period for exit in the event of delay in appointment by the State, as provided in Exhibit P-1 Prospectus, is arbitrary, unreasonable and



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unconstitutional, and consequently violative of Articles 14 and 19(1) (g) of the Constitution of India;

(iii) Issue a Writ of Mandamus or any other appropriate Writ, Order or Direction directing Respondents 1 and 2 to forthwith issue appointment and posting orders to the Petitioners as Senior Residents in Government Medical Colleges, Hospitals, or other appropriate institutions under the Government of Kerala, so as to enable the Petitioners to complete their one-year compulsory bond service as stipulated in the Prospectus;

(iv) Issue a Writ of Mandamus or any other appropriate Writ, Order or Direction directing the 2nd Respondent to forthwith release and return the original Degree Certificates of the Petitioners, and in the alternative, declare that the period commencing from the date of completion of the course shall be reckoned and set off may be granted against the one-year compulsory bond service stipulated in the Prospectus;

(v) Issue a Writ of Mandamus or any other appropriate Writ, Order or Direction directing the Respondents to publish and maintain a transparent vacancy matrix with respect to the posts available for bond service in the various Government Medical Colleges, Hospitals and Primary Health Centres, so as to enable the Petitioners and similarly placed candidates to ascertain the availability of vacancies and the probable waiting period for their posting;

(vi) Issue a writ of Mandamus or any other appropriate Writ, Order or Direction directing the Respondents to evolve and implement a transparent and time-bound mechanism for allocation of postings to candidates liable to perform compulsory bond service;

(vii) Issue such other and further orders as this Hon'ble Court may deem fit and proper in the facts and circumstances of the case.

4. The petitioners in WP(C) No.25441 of 2026 are qualified doctors who have successfully completed their post graduate degree courses through the various Medical Colleges in the State of Kerala. All the petitioners, except the 9th petitioner successfully completed the PG



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course and passed their final examination on or about 26.12.2025 and the 9th petitioner completed her course on 08.02.2026. As per clause 11-1(b) of Ext.P1 prospectus regarding admission to medical post graduate courses in Government Medical Colleges and RCC for the academic session 2022-23, the petitioners are mandatorily required to execute a bond undertaking to serve the Government of Kerala in Medical Education Services as Senior Residents for a continuous period of not less than one year immediately after completion of the course without break. As per Ext.P1 prospectus, the original certificates of the candidates are to be retained in safe custody of the concerned Principal until completion of the compulsory bonded service. It is further provided in Ext.P1 prospectus that, if the Government is not in a position to offer a job either under the Medical Education Service or Health Service within one year after completion of the course, the candidates shall be absolved from the bonded obligation. Petitioners have duly executed the service bond in favour of the Government of Kerala, undertaking to serve for the stipulated period. Petitioners have at all times been ready and willing to fulfil their obligation of the said bond. Upon completion of the course, petitioners become eligible to be posted as Senior Resident for the purpose of fulfilling their compulsory bonded service. Ext.P1 contemplates that such service shall commence immediately after completion of the course. The contention raised by the petitioners is that despite the respondents compelling the



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petitioners to execute a bond, they failed to issue posting orders to the petitioners even after several months. Petitioners would submit that even if the respondents are not able to issue a posting order, the petitioners could exit only after a period of one year without working either in the Government service or under any other institution, which is highly arbitrary and unjust. Petitioners would contend that the stipulation in the prospectus that “immediately after completion of the course” contained in the prospectus imposes a reciprocal obligation upon the respondents to issue posting orders without undue delay. Petitioners would submit that among the petitioners only the 9th petitioner has been issued an appointment order. However, after joining, for computing the period of compulsory bonded service, respondents have reckoned the bonded period only from their respective date of joining duty, completely refusing to grant any set-off for the period commencing from the date of obligation until their actual joining. This is contrary to clause 11-1(c) of Ext.P1 prospectus which expressly provides that the period of Senior Residency will be only from the date of publication of the result subject to successful completion of course. By calculating the bond only from the date of joining, the respondents are in direct and flagrant violation of the said specific clause. It is in the said circumstances that the present writ petition has been filed.



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5. Whereas the petitioners in WP(C) No.9651 of 2026 have more or less the same contentions raised by the petitioners in WP(C) No.25441 of 2026, and submit that they have successfully completed their respective PG course and passed the final examination, the result of which was declared on or about 26.12.2025. Though in WP(C) No.25441 of 2026, the petitioners seek for a declaration that the compulsory service bond executed by the petitioners pursuant to Ext.P1 is illegal, arbitrary, unreasonable and violative of the fundamental rights under the Constitution of India and other consequential reliefs, in WP(C) No.9651 of 2026, the grievance raised by the petitioners is that the inaction on the part of the respondents in providing appointment and posting to the petitioners for the purpose of discharging a compulsory bonded service is illegal, arbitrary and unconstitutional and seeks for other consequential reliefs.

6. A detailed counter affidavit has been filed by the Government in both the cases, and in the counter affidavit filed in WP(C) No.25441 of 2026, it is stated that there is absolutely no reason for granting any of the reliefs sought for in the writ petition inasmuch as the petitioners have executed compulsory Government service bond in accordance with the conditions contained in the prospectus governing admission. It is further submitted that unlike in private Medical Colleges only a nominal fee is charged from the students and a compulsory Government service bond is one of the conditions attached



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to such concessional medical education provided by the Government. The Senior Residency is not a regular appointment in Government service, it is a stipendary program intended to facilitate the discharge of the compulsory Government service obligation undertaken by post graduate medical students. Petitioners belong to 2022 batch of post graduate students, and owing to covid-19 pandemic, the admission of 2021 batch was considerably delayed and was conducted only during 2022 and within a few months thereafter, admission to the 2022 batch was also completed resulting in an unprecedented overlap of two batches eligible for compulsory Government service. Nearly 1000 post graduate students completed that course from the Government Medical Colleges in Kerala in the year. However, only about 600 senior residency vacancies are available for accommodating such candidates. Therefore, it was administratively impossible to provide senior residency postings to all eligible candidates immediately upon publication of the examination result. Going by the prospectus, Government is required to provide compulsory government service posting within one year from the date of publication of the result, and if the Government is not in a position to provide such posting within the said period, the candidates shall stand absolved from the bonded obligation. Since the prescribed period of one year has not expired, the allegation that the respondents have failed to provide posting is premature and factually unsustainable. In order to address the



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temporary shortage of vacancies caused by overlap of two batches, the Directorate has already submitted a proposal to the Government for creation of additional supernumerary posts of senior residents which is presently under consideration of the Government.

7. A detailed counter affidavit has been filed in WP(C) No.9651 of 2026, wherein it is stated that out of the 14 petitioners, 7 petitioners have already been provided posting and five of them joined the SR ship and two of them have not joined. The remaining seven petitioners are yet to be provided with postings. It is further submitted that the remaining seven petitioners will be provided with posting within one year from the date of publication of the respective results in accordance with the prospectus conditions and subject to availability of vacancies. If no vacancy is available to facilitate posting within the specified time frame, they will be released from the bond.

8. The learned Government Pleader upon instructions submitted that the petitioner Nos.5, 11 and 14 in WP(C) No.9651 of 2026 have not joined inspite of postings being given to them.

9. I have heard the rival contentions on both sides.

10. The main contention raised in WP(C) No.25441 of 2026 is that the condition in the prospectus mandating a compulsory service bond imposed as a condition for admission to the post graduate medical post in the State of Kerala is illegal, arbitrary and violative of the fundamental rights guaranteed by the Constitution of India. A



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similar contention was considered by the Division Bench of this Court in **Ayisha Beegam (Dr.) and Others v. State of Kerala and Others [2018 (2) KHC 600 (DB)]**, wherein the Division Bench of this Court has upheld the validity of the bond to be executed compelling the students to serve one year in the State. Therefore, the said contention raised by the petitioners is only to be rejected. Now the other question to be considered is the contention raised by the 9th petitioner in WP(C) No.25441 of 2026 that she has already commenced her bonded service whose course was completed on 08.02.2026, but the respondents are compelling her to render a full and uninterrupted one year of service reckoning from the respective date of joining without granting any set off or credit for the period from the date of publication of result till their actual date of joining during which the petitioner remains idle solely on account of the respondents' failure to issue timely posting orders. As seen from Ext.P1 prospectus, the bonded obligations as provided in Clause 11-1(b) mandates that all general medical candidates admitted to Medical Post Graduate courses in Kerala shall serve the Government of Kerala in Medical Education Service as Senior Resident for a continuous period of not less than one year immediately after the completion of the course without break. 11-1(c) mandates that the said period of senior residency will be only from the date of publication of the result subject to successful completion of the course. So, going by the said clause, the period of Senior Residency will be only from the



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date of publication of the result subject to successful completion of the course. Therefore, the obligation of a post-graduate students like the petitioners herein as per the Board condition is only from the date of publication of result for a period of one year. The period of Senior Residency as a bonded obligation has to start from the date of publication of the result irrespective of whether a posting could be granted soon after the publication of the result or thereafter. It is ordered accordingly.

11. Another aspect to be noted is that all throughout the bonded period or during the period of the bonded obligation, the certificates of the petitioners will not be provided to them and only after the bonded period is over that they will be given the certificates etc. Going by the counter affidavit filed, the said situation of not being able to provide Senior Residency happened due to a peculiar circumstance of covid-19 pandemic. This resulted in an administrative impossibility to provide Senior Residency posting to all eligible candidates immediately upon publication of the exam result. Going by the counter affidavit, the Senior Residency is not a regular appointment, but it is a stipendary programme intended to facilitate the discharge of a compulsory Government service obligation undertaken by post-graduate medical students. Petitioners submit that they are ready to serve as Senior Resident for a period of one year and they are entitled to get stipend for the said period also. The situation



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now is that the petitioners are without any posting as Senior Resident for almost eight months, whereby denying them the stipend they are entitled to nor they are able to work in any other hospitals since the certificate etc. will be released to them only after the period of bond is over. This has resulted in a situation where the post-graduate students after completing their studies have to sit idle at home for almost one year without doing any service to the society either in the Government sector or in a private sector. Said situation has occurred only due to the fact that the 2021 and 2022 batches completed the course at the very same time. If this situation is permitted to continue, naturally for the subsequent years also it will result in the post-graduate students sitting idle for months together without being given any posting, without having any stipend nor being able to work outside the Government service. I am of the view that this is a national waste since the post-graduate students are sitting idle without discharging any function, without providing any service to the public in Government or in a private sector.

12. A similar issue was considered by the High Court of Chhattisgarh in WP(C) No.6594 of 2025 wherein it is held that since the respondent Government failed to issue appointment orders to the petitioners within a period of six months from the date of completion of MBBS post-graduation, the bond executed by the petitioners should



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automatically be cancelled by operation of law. The operative portion of the said judgment reads as follows:-

“23. Accordingly, in light of the foregoing discussions and considering the mandatory provisions contained in Rule 10(6) of the Chhattisgarh Medical, Dental and Physiotherapy Under Graduate Admission Rules, 2025, this Court has no hesitation in holding that since the respondents failed to issue appointment orders to the petitioners within a period of six months from the date of completion of MBBS Course and internship, the bonds executed by the petitioners stood automatically cancelled by operation of law. Consequently, the appointment orders dated 24.12.2025 issued in favour of the petitioners after expiry of the statutory period of six months are held to be unenforceable and of no legal consequence. The same shall not bind the petitioners in any manner whatsoever.

24. It is further held that the petitioners cannot be compelled either to join at the places of posting pursuant to the said appointment orders or to participate in counselling proceedings initiated vide notice dated 08.12.2025. The petitioners shall not be liable to deposit any penalty amount of Rs.25,00,000/- in respect of unreserved category candidates or Rs.20,00,000/- in respect of reserved category candidates pursuant to the bonds executed by them at the time of admission.

25. The respondents are directed to forthwith issue No Objection Certificates (NOC) in favour of the petitioners without insisting upon payment of any bond amount or penalty. Respondent No. 5, Pt. Deendayal Upadhyay Memorial Health Sciences and Ayush University of Chhattisgarh, is further directed to confer MBBS Degrees upon the petitioners, if not already conferred, in accordance with law and without insisting upon production of any NOC relating to compulsory service bond obligations.

26. With the aforesaid observations and directions, the writ petition stands allowed. “



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The Madras High Court in WP(C) No.32649 of 2022 and connected cases has also considered a similar issue.

13. Even when I uphold the condition that the post-graduate students who are studying in Government Medical Colleges are bound to execute a bond and are bound to serve the Government service as Senior Resident for a period of one year, this Court cannot ignore the situation that the post-graduate doctors, are forced to sit idle without doing any service either to the Government or in the public sector, which both cater to the interests of the general public. This cannot go unnoticed by the Government. The learned Counsel for the petitioners submit that they are ready to execute or comply with their bonded obligation but due to the lack of sufficient posts they are not being accommodated. This situation cannot continue any further. It is stated in the counter affidavit that in order to address the shortage of vacancies caused by the overlap of two batches that the Director has already submitted a proposal to the Government for creation of additional supernumerary posts of Senior Resident, and the proposal is pending consideration before the Government. Therefore, the matter requires serious reconsideration at the hands of the 1st respondent Government. Therefore, the writ petition is disposed of with a direction to the 1st respondent Government to take an appropriate decision on the proposal submitted by the Directorate for creation of supernumerary posts so that petitioners are accommodated so that



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they complete their bonded obligation or in the alternative to relieve the petitioners from their bonded obligation since almost eight months have already passed after their completion of the bond and the publication of the result. A decision in this regard shall be taken within an outer limit of one month from the date of receipt of a copy of this judgment.

Sd/-
VIJU ABRAHAM
JUDGE

sbk/-



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APPENDIX OF WP(C) NO. 9651 OF 2026

PETITIONER EXHIBITS

Exhibit P1	TRUE COPY OF THE PROSPECTUS FOR ADMISSION TO MEDICAL POST-GRADUATE DEGREE COURSES 2022-2023.
Exhibit P2	TRUE COPY OF THE RESULT NOTIFICATION NO. 27692/2025/EX MED/A4/KUHS(1) DATED 26.12.2025 ISSUED BY THE 3RD RESPONDENT.
Exhibit P3	TRUE COPY OF THE STRIKE NOTICE DATED 16.02.2026 ISSUED BY THE KERALA MEDICAL POST GRADUATES ASSOCIATION 2025-2026.



2026:KER:74996

APPENDIX OF WP(C) NO. 25441 OF 2026

PETITIONER EXHIBITS

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|-------------------|---|
| Exhibit P1 | TRUE COPY OF THE PROSPECTUS FOR ADMISSION TO MEDICAL POST-GRADUATE DEGREE COURSES 2022-2023. |
| Exhibit P2 | TRUE COPY OF THE RESULT NOTIFICATION NO. 27692/2025/EX MED/A4/KUHS(1) DATED 26.12.2025 ISSUED BY THE 3RD RESPONDENT. |
| Exhibit P3 | TRUE COPY OF THE STRIKE NOTICE DATED 16.02.2026 ISSUED BY THE KERALA MEDICAL POST GRADUATES ASSOCIATION 2025-2026. |
| Exhibit P4 | TRUE COPY OF THE WALK-IN RECRUITMENT NOTIFICATION NO. 01/2026 DATED 10.06.2026 ISSUED BY THE COLLECTOR & DISTRICT MAGISTRATE, S.P.S.R. NELLORE DISTRICT, ANDHRA PRADESH ALONG WITH THE MERIT LIST OF 1ST PETITIONER. |