

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.MUHAMED MUSTAQUE

WEDNESDAY, THE 25TH DAY OF NOVEMBER 2015/4TH AGRAHAYANA, 1937

WP(C).No. 35627 of 2015 (C)

PETITIONER(S):

**T.M.KOYA, AGED 54 YEARS,
S/O.KUNHIKOYA, NOORI MASKAN HOUSE,
PUTHIYANGADI AMSOM, DESOM, KOZHIKODE - 673 021.**

**BY ADVS.SRI.R.RAMADAS
SRI.T.SIVADASAN**

RESPONDENT(S):

- 1. STATE OF KERALA,
REPRESENTED BY ITS SECRETARY (HEALTH),
GOVERNMENT SECRETARIAT, TRIVANDRUM - 695 001.**
- 2. THE ESTATE OFFICER,
GOVERNMENT MEDICAL COLLEGE, KOZHIKODE - 673 008.**
- 3. HOSPITAL DEVELOPMENT COMMITTEE,
IMCH, MEDICAL COLLEGE HOSPITAL,
KOZHIKODE, (SUPERINTENDENT, IMCH,
KOZHIKODE), PIN - 673 008.**
- 4. THE DISTRICT COLLECTOR,
KOZHIKODE - 673 020.**

BY GOVERNMENT PLEADER SMT.C.K.SHERIN

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON
25-11-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:**

msv/

WP(C).No. 35627 of 2015 (C)

APPENDIX

PETITIONER(S)' EXHIBITS

**P1- TRUE COPY OF THE AGREEMENT DATED 26.9.2008 JOINTLY EXECUTED BY THE
3RD RESPONDENT AND THE PETITIONER FOR RUNNING THE REFRESHMENT
STALL.**

**P2- TRUE COPY OF THE AGREEMENT DATED 26.9.2008, JOINTLY EXECUTED BY THE
3RD RESPONDENT AND THE PETITIONER FOR RUNNING THE CANTEEN.**

**P3- TRUE COPY OF THE PROCEEDING NO.S2/825/08/HDC DATED 14.10.2008 ISSUED
BY THE 45TH RESPONDENT.**

**P4- TRUE COPY OF THE PROCEEDING NO.S2/8000/07/HDC DATED 14.10.2008 ISSUED
BY THE 45TH RESPONDENT.**

**P5- TRUE COPY OF THE JUDGMENT DATED 24.6.2013 IN WP(C) NO.23404/12 OF THIS
HONOURABLE COURT.**

**P6- TRUE COPY OF THE REPRESENTATION DATED 12.11.2015 SUBMITTED BY THE
PETIONER BEFORE RESPONDENTS 2 TO 4**

RESPONDENT(S)' EXHIBITS:

NIL

//TRUE COPY//

P.S.TO JUDGE

Msv/

A.MUHAMED MUSTAQUE, J.

W.P.(C) No.35627 of 2015

Dated this the 25th day of November, 2015

JUDGMENT

The petitioner has approached this Court on account of delay in considering Ext.P6 representation by the 4th respondent-District Collector.

2. The petitioner submits that he has been allotted the right to conduct refreshment stall and staff canteen in the newly constructed premises of the Kozhikode Medical College. It is also pointed out that earlier licensee, namely, C.K.Sreedharan has been evicted from the building and the building has been reconstructed. It is further submitted that based on the selection, he was the highest bidder in the tender process and he is entitled to run the refreshment stall and staff canteen.

In the light of the above facts and circumstances, there shall be a direction to the District Collector to take decision on Ext.P6

within one month from the date of receipt of a copy of this judgment after hearing the petitioner and the officials of the third respondent.

The writ petition is disposed of as above.

Sd/-

A.MUHAMED MUSTAQUE, JUDGE

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