

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATE: 10.06.2015

CORAM

THE HONOURABLE MR.JUSTICE M.SATHYANARAYANAN

W.P.No.16346 of 2015

and

M.P.No.1 of 2015

M.Raja

... Petitioner

Versus

1. Director of Medical Services & Rural Welfare Chennai-600 006.
2. The Joint Director of Health Services Namakkal Taluk & District.
3. The Medical Officer Government District Head Quarters Hospital Namakkal Taluk and District.
4. The Chief Engineer Public Works Departments Chepauk Chennai-600 005.
5. The Assistant Engineer (Elec.) Public Works Department Government District Head Quarters Hospital Namakkal Taluk and District.

... Respondents

Prayer: This Writ Petition is filed under Article 226 of the Constitution of India, seeking for a writ of mandamus, forbearing the respondents for initiating any steps to evicting from the said bunk shop situated in Government District Headquarters Hospital, Namakkal under the Control of Respondents for smooth running and consequently direct the respondents to provide the electricity connection for the said bunk shop as prayed in the petitioners representation dated 20.04.2015.

For Petitioner : Mr.R.Thanjan

For Respondents : Mrs.P.Rajalakshmi
Government Advocate.

O R D E R

By consent, the writ petition is taken up for final disposal.

2. The petitioner claims that he is otherwise-abled (physically challenged) and his wife is also a handicapped person and the marriage between them is an intercaste marriage and out of the wedlock they begot two children. The petitioner would further state that the petitioner was allotted a bunk shop within the campus of Government District Headquarters Hospital at Namakkal, wherein the petitioner is selling the products manufactured by Aavin as well as other eatable items in an hygienic manner and it mainly caters to the needs of the patients as well as the visitors. The apprehension expressed by the petitioner is that some emergency steps are being taken to dispossess the petitioner and to remove the bunk shop and in this regard, the petitioner submitted a representation dated 20.04.2015 to the 2nd respondent and since, no response is forthcoming, came forward to file this writ petition.

3. Mr.R.Thanjan, learned counsel appearing for the petitioner would submit that the family of the petitioner is mainly dependent upon the meagre income and in the event of the petitioner being dispossessed and bunk shop removed, his family will be left in lurch and hence, prays for appropriate orders.

4. This Court heard the submissions of Mrs.P.Rajalakshmi, learned Government Advocate, who accepts notice for the respondents.

5. Though, the petitioner has prayed for larger relief, this Court, in the facts and circumstances of this case, is of the view that it would be suffice to direct the 2nd respondent to consider and dispose of the petitioner's representation dated 20.04.2015, in accordance with law, within a stipulated time frame and till then no precipitative action is to be taken.

6. This Court, without going into the merits of the claim projected by the petitioner, directs the 2nd respondent to consider the petitioner's representation dated 20.04.2015, in accordance with law, after providing an opportunity of personal hearing and pass orders within a period of eight weeks from the date of receipt of a copy of this order and inform the decision taken, to the petitioner and till then shall not take any precipitative action, to dispossess the petitioner.

7. The writ petition is disposed of, accordingly. No costs. Consequently, the connected Miscellaneous Petition is closed.

Sd/-
Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

ars

To

1. The Director of Medical Services & Rural Welfare
Chennai-600 006.
2. The Joint Director of Health Services
Namakkal Taluk & District.
3. The Medical Officer
Government District Head Quarters Hospital
Namakkal Taluk and District.
4. The Chief Engineer
Public Works Departments Chepauk
Chennai-600 005.
5. The Assistant Engineer (Elec.)
Public Works Department Government District
Head Quarters Hospital
Namakkal Taluk and District.

+1cc to the Government Pleader, S.R.No.28260

W.P.No.16346 of 2015

GP(CO)
CA(24/06/2015)

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