

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :: 25-06-2015

CORAM

THE HONOURABLE MR.JUSTICE M.SATHYANARAYANAN

WRIT PETITION No.18404 OF 2015

B.J.Kantharaj

...Petitioner

-vs-

1. The Government of Tamil Nadu,
rep.by its Secretary,
Health and Family Welfare Department,
Fort St.George,
Chennai-9.
2. The Director of Medical Education,
O/o.the Director of Medical Education,
Chennai-5.
3. The Chief Engineer,
Public Works Department,
Chepauk,
Chennai.
4. The Director and Superintendent,
Government Eye and Ophthalmic Hospital,
Egmore,
Chennai.

...Respondents

Writ Petition has been filed praying for issuance of a writ of mandamus, directing the respondents to allot a suitable place coming under the third respondent PWD Department to the petitioner to run a Kiosk.

For petitioner : Mr.K.Thilageswaran

For respondents : Mr.N.Roofus Abraham,
Govt.Advocate.

O R D E R

By consent, the Writ Petition is taken up for disposal.

2. The petitioner would state that he was allotted a NAESEY Kiosk, for vending snacks, tea, coffee etc., in the year 1979, in the Government H.Q. Hospital and Medical College Hospitals in Tamil Nadu, and that the income derived from the said shop was the sole source of livelihood for him and his family and he has been maintaining the said kiosk in a hygiene condition.

3. The grievance expressed by the petitioner is, that, all-of-a-sudden, he was asked to vacate the premises and, in this regard, submitted a representation to fourth respondent on 23.03.2013, praying for permission to continue to run the abovesaid kiosk. Since he has not been favoured with any response, he has come forward to file this Writ Petition.

4. Learned counsel for the petitioner would submit that the kiosk run by the petitioner in the fourth respondent Hospital was asked to be closed and, at present, he is not running any bunk shop and, as his livelihood is based solely on the said business, prays for appropriate orders.

5. Heard the submissions of Mr.N.Roofus Abraham, learned Government Advocate, who took notice on behalf of the respondents.

6. This Court, considering the facts and circumstances of the case, permits the petitioner to submit one more representation to respondents 3 and 4 within two weeks from the date of receipt of a copy of this order, and, on such receipt, respondents 3 and 4 are directed to consider and pass orders on the said representation of the petitioner, in accordance with law, within a period of four weeks thereafter, and communicate the decision taken thereon to the petitioner.

7. Writ Petition is disposed of accordingly. No costs.

Sd/-
Assistant Registrar (CS-IV)

//True Copy//

Sub Assistant Registrar

dixit

To

1. The Secretary,
Government of Tamil Nadu,
Health and Family Welfare Department,
Fort St.George,
Chennai-9.
2. The Director of Medical Education,
O/o.the Director of Medical Education,
Chennai-5.
3. The Chief Engineer,
Public Works Department,
Chepauk,
Chennai.
4. The Director and Superintendent,
Government Eye and Ophthalmic Hospital,
Egmore,
Chennai.

1CC to Mr.K.Thilageswaran, Advocate SR 31424

1CC to Government Pleader, SR 31465

SV [CO]
PSI 09.07.2015

W.P.Nos.18404/2015

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