



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED :11.08.2016

CORAM

THE HONOURABLE MR.JUSTICE T.RAJA

W.P (MD) No.14635 of 2016

and

W.M.P (MD) No.10851 of 2016

S.Chairmadurai

.. Petitioner

vs.

1.Thoothukudi Medical College Hospital,
Rep. By its Dean,
Thoothukudi,
Thoothukudi District.

2.The Executive Engineer,
Public Works Department (Building),
Medical Services,
Tirunelveli District.

.. Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, praying for the issuance of a Writ of Mandamus directing the respondents to extend the lease period from 20.08.2016 to 19.08.2019 for running the Aavin Booth in front of 500 bed ward portico within the premises of the first respondent by considering the representation of the petitioner, dated 15.07.2016.

For Petitioner	:Mr.S.C.Herold Singh
For Respondents	:Mr.A.Muthukaruppan, Government Advocate

ORDER

The case of the petitioner is that vide lease agreement entered into between the petitioner and the second respondent, dated 30.09.2016, he was permitted to fix a bunk shop to a size of 8 X 5 feet, in Thoothukudi Government Medical College Hospital Campus, for a period of three years commencing from 20.08.2013 to 19.08.2016. The Superintending Engineer has also fixed a sum of Rs.335/- per month, towards rent and the same has also been regularly paid by the petitioner. Now, the petitioner wants to renew the lease and as per clause 13 of the lease agreement, the lease is entitled for renewal, for every three years after getting no objection from the respondents. Therefore, he has made representation before the respondents seeking renewal of his lease



period. But the same has not been considered so far. Therefore, a direction may be given to the respondents to consider the case of the petitioner, on the basis of the agreement, dated 30.09.2013.

2. Mr.A.Muthukaruppan, learned Government Advocate after taking notice on behalf of the respondents, submitted that if the petitioner is not default in payment of rent, his representation will be considered in the light of clause 13 of the agreement, dated 30.09.2013.

3. Recording the same, the respondents are directed to consider the representations of the petitioner, dated 15.07.2016 and 21.07.2016, and pass orders on the same in the light of Clause 13 of the lease agreement, dated 30.09.2013, within a period of two weeks from the date of receipt of a copy of this order. The respondent are directed to maintain status-quo till then.

With the above direction, the Writ Petition is disposed of. No Costs. Consequently, connected miscellaneous petition is closed.

Sd/

Assistant Registrar(CS-II)

/True Copy/

Sub Assistant Registrar.

To

1.The Dean,
Thoothukudi Medical College Hospital,
Thoothukudi,
Thoothukudi District.

2.The Executive Engineer,
Public Works Department(Building),
Medical Services,
Tirunelveli District.

+1CC to M/S.S.C.Herold Singh, Advocate, SR.No. 44235

+1CC to the Special Government Pleader, SR.No. 44123

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pm

AM/SK.SKN/SAR-III/19.08.2016/2P/5C