

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 17.03.2017

CORAM

THE HONOURABLE MR. JUSTICE M. SATHYANARAYANAN

WP.No.6439/2017

Mrs.Suguna Sekar

..Petitioner

Versus

- 1.The Principal Secretary to Government of Tamil Nadu, Health and Family Welfare Department, Secretariat, Fort St George Chennai 600 009.
- 2.The Principal Secretary to Government of Tamil Nadu, Public Works Department Secretariat, Fort St George, Chennai 600 009.
- 3.The Director Tamil Nadu Medical Service Corporation Opposite Hotel Asoka, Egmore, Chennai-8.

..Respondents

Writ petition filed under Article 226 of the Constitution of India praying for a writ of mandamus directing the respondents to provide alternative accommodation to the petitioner to continue for canteen business in any other hospitals or health centre within the administrative control of the 1st respondent by taking note of the subsistence of lease granted to her till 14.11.2017 by considering the representation dated 03.03.2017 of the petitioner within a time limit to the specified by this Court.

For Petitioner : Mr.B.Gurumurthy
For RR 1 to 3 : Mrs.K.Bhuvaneswari, GA

ORDER

By consent, the writ petition is taken up for final disposal. Mrs.K.Bhuvaneswari, learned Government Advocate accepts notice on behalf of the respondents.

2 The petitioner had participated in the public auction for running Tea Stall in the Health and Family Welfare Training Centre, Egmore, Chennai-8 and was successful and vide Letter dated 27.11.2014, the Executive Engineer, Public Works Department, Building Maintenance Division, Medical Work,

Chepauk, Chennai-5, has allotted 2.31 sq.m., of lands to run a tea stall for the period between 15.12.2014 and 14.11.2017 on the monthly lease/rental amount of Rs.4500/- and the petitioner has also accepted terms and conditions and put up the bunk stall for the purpose of running a tea stall. The grievance expressed by the petitioner is that in and around the bunk shop, the respondents have put up a wall for the purpose of instalment of a transformer and as such, the access to her shop has been totally denied and shut down and in this regard, she has also submitted a representation dated 06.01.2017 to the Hon'ble Minister for Health and Family Welfare, Government of Tamil Nadu, Chennai-9, followed by another representation dated 03.03.2017 to the respondents praying for alternate place for the purpose putting up and continuing the said business and since no orders have been passed, the petitioner came forward to file this writ petition.

3 Heard the learned counsel for the petitioner and Mrs.K.Bhuvaneswari, learned Government Advocate who on instructions, would submit that the petitioner, on an earlier occasion has submitted a representation dated 25.01.2017, praying for refund of security deposit and in the light of the representation submitted by her, her request will be considered and disposed of at an early date.

4 This Court has carefully considered the rival submissions and also perused the materials placed before it.

5 Though the petitioner has prayed for a larger relief, this Court, in the light of the above facts and circumstances and without going into the merits of the claim projected by the petitioner, permits the petitioner to submit one more representation to the Executive Engineer, Public Works Department, Building Maintenance Division, Chepauk, Chennai-5, seeking an alternate accommodation/place within the said campus, within a period of two weeks from the date of receipt of a copy of this order and upon receipt of the same, the said official, is directed to consider the said representation on merits and in accordance with law and pass orders within a further period of four weeks thereafter and communicate the decision taken, to the petitioner.

6 The writ petition stands disposed of with the above direction. No costs.

Sd/-
Asst.Registrar (VII)

/true copy/

Sub Asst. Registrar

To

- 1.The Principal Secretary to Government of
Tamil Nadu, Health and Family Welfare
Department, Secretariat, Fort St George
Chennai 600 009.
- 2.The Principal Secretary to Government
of Tamil Nadu, Public Works Department
Secretariat, Fort St George, Chennai 600 009.
- 3.The Director
Tamil Nadu Medical Service Corporation
Opposite Hotel Asoka, Egmore,
Chennai-8.

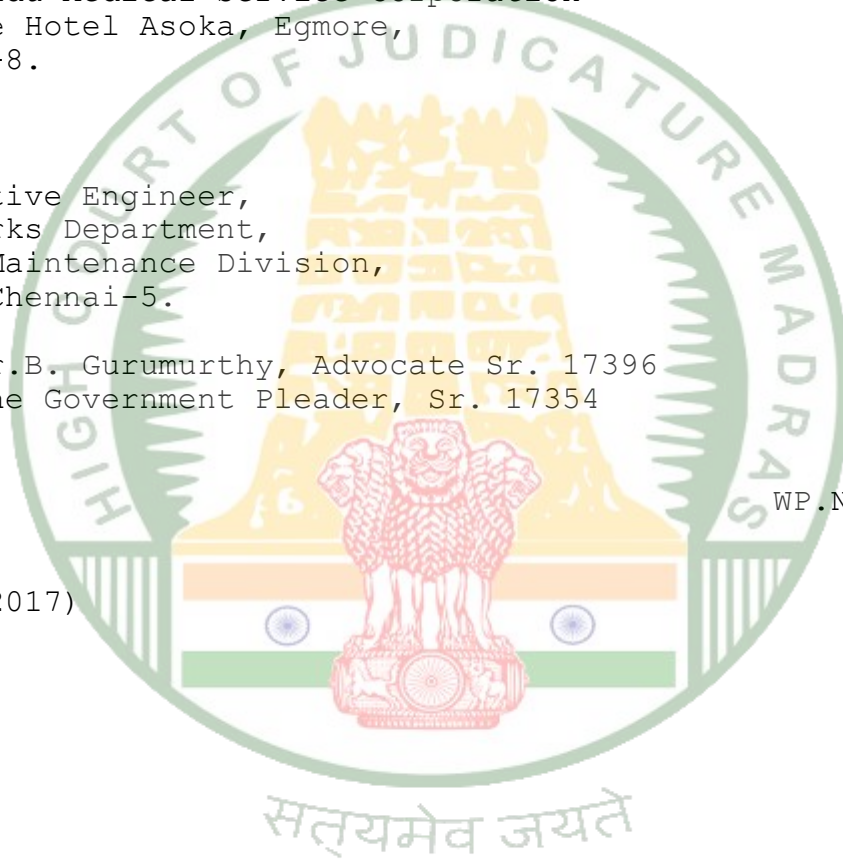
Copy to:-

The Executive Engineer,
Public Works Department,
Building Maintenance Division,
Chepauk, Chennai-5.

+1cc to Mr.B. Gurumurthy, Advocate Sr. 17396
+1cc to the Government Pleader, Sr. 17354

EV(CO)
VR(24/03/2017)

WP.No.6439/2017



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