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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 26.06.2019

CORAM

THE HONOURABLE DR.JUSTICE G.JAYACHANDRAN

W.P.No.3238 of 2019

R.Pandian

... Petitioner

Versus

1.The Dean,
Government Medical College and Hospital,
Villupuram.

2.The Block Development Officer,
Vikkaravandi Taluk,
Villupuram District.

3.Executive Engineer,
Public Works Department,
Building & Maintenance Division,
Medical Service, Vellore.

4.Assistant Engineer,
Public Works Department,
Building & Maintenance Sub-Division,
Medical Service, Villupuram.

5.Tamil Nadu Tea Plantation Corporation Limited,
TANTEA Complex,
Coonoor, Nilgiris - 643 101.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying for the issue of Writ of Mandamus directing the respondents to allot 8 X 8 size of space at Government Medical College and Hospital, Mundiampakkam, Villupuram to the petitioner for sale of TANTEA and other allied products of the fifth respondent.

For Petitioner : Mr.V.Selvaperumal

For Respondents : Mr.D.Suriyanarayanan for RR1-4
Addl. Government Pleader.
Mr.Bala Ramesh for R5
Special Government Pleader



O R D E R

Heard the learned counsel for the petitioner and the learned Additional Government Pleader & Special Government Pleader appearing for the respondents.

2. The grievance of the petitioner is that he has made a request to the Dean, Government Medical College and Hospital, Villupuram to put up TANTEA (Tamil Nadu Tea Plantation Corporation Limited) sales outlet within the hospital premises and the said request has not been considered by the Dean.

3. From the counter affidavit filed by the Executive Engineer (Third Respondent) and Dean (First Respondent), it appears that the authority to take a decision of permitting any outlets within the hospital premises is the Director of Medical Education.

4. The Learned Counsel for the petitioner informs before this Court that, he has filed an application to implead the Director of Medical Education, but however this Court is of the opinion that from the counter, it appears that on the request made by the Managing Director of Tamil Nadu Tea Plantation Corporation Limited, Coonoor dated 24.07.2018, the Dean, Government Medical College and Hospital, Villupuram has forwarded the request recommending for installing TANTEA Stall within the hospital premises and the same is pending with the Director of Medical Education.

5. However, it is also stated in the counter that allotment of space for putting sales outlet will be given, if the Managing Director, TANTEA execute an agreement incorporating the terms and conditions and agree to pay the rent fixed by the Public Works Department.

6. In view of the above submission instead of keeping the Writ Petition pending, it is suffice to permit the petitioner herein to make request to the Managing Director, TANTEA to the Director of Medical Education copy marked to the first respondent/Dean, Government Medical College and Hospital, Villupuram and pursue their application.

7. On receipt of such application, the first respondent/Dean, Government Medical College and Hospital, Villupuram shall pass appropriate orders in accordance with law.



8. With the above directions, this Writ Petition is disposed of. No cost.

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Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

arb/rpl

To

- 1.The Dean,
Government Medical College and Hospital,
Villupuram.
- 2.The Block Development Officer,
Vikkaravandi Taluk,
Villupuram District.
- 3.Executive Engineer,
Public Works Department,
Building & Maintenance Division,
Medical Service, Vellore.
- 4.The Assistant Engineer,
Public Works Department,
Building & Maintenance Sub-Division,
Medical Service, Villupuram.
- 5.The Tamil Nadu Tea Plantation Corporation Limited,
TANTEA Complex,
Coonoor, Nilgiris - 643 101.

+1cc to Mr.V.Selvaperumal, Advocate sr.59944
+1cc to Special Government Pleader(Forest) sr.53065

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pm(co)
nr 01/08/2019