

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 02.03.2020

CORAM

THE HONOURABLE Mr.JUSTICE N.ANAND VENKATESH

W.P. No. 18788 of 2019

C.Palanichamy

...Petitioner

Vs

1.The State of Tamil Nadu,
Rep. by Principal Secretary,
Health Department,
Fort St. George,
Chennai - 600 009.

2.The Principal,
Government Medical College Hospital,
Villupuram District.

3.The Executive Engineer,
Public Works Department,
Building Section,
(Medical Works),
Vellore - 6.

4.The General Manager,
TND - 495, Villupuram-Cuddalore District,
Co-operative Milk Producers Society Limited,
(Aavin), Villupuram Taluk.

...Respondents

PRAYER : Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus directing the respondents 2 to 4 to consider the representations of the petitioner dated 28.03.2019 and consequently direct the respondents 2 to 4 to allot a place at Villupuram Government Hospital and Medical College Campus, Villupuram for running an Aavin Booth by the petitioner.

For Petitioner : Mr. Jhothivani S.S.

For Respondents 1-3 : Mr. S.N.Parthasarathi
Government Advocate

For Respondent - 4 : Mr. L.P.Shanmugasundaram
Special Government Pleader

O R D E R

This Writ Petition has been filed for the issuance of the Writ of Mandamus directing the respondent to consider the representations made by the petitioner who is seeking permission from the respondents to run Aavin booth inside the Villupuram Government Hospital and Medical College campus on the ground that he is a handicapped person.

2. The case of the petitioner is that he is a physically handicapped person suffering from 75% disability. He approached the first respondent and sought for permission to run the Aavin booth inside the Villupuram Government Hospital and Medical College campus. The second respondent by his letter in the month of May 2018, written to the third respondent, requested the third respondent to see if any Aavin booth can be located inside the Villupuram Government Hospital and Medical College campus. Since there is already an Aavin booth which is in existence inside the campus, the petitioner also followed it up by giving representations to the third respondent. Since the same was not considered, the present Writ Petition has been filed before this Court seeking for appropriate directions.

3. Heard Mr. S.S. Jhothivani, learned counsel appearing on behalf of the petitioner, Mr. S.N.Parthasarathi, learned Government Advocate appearing on behalf of First to Third respondents and Mr. L.P.Shanmugasundaram, learned Special Government Pleader, appearing on behalf of the fourth respondent.

4. Taking into the consideration the facts and circumstances of the case and the limited request that has been sought for in this Writ Petition, there shall be a direction to the third respondent to take a decision as to whether any Aavin booth can be located inside the Villupuram Government Hospital and Medical College campus, pursuant to the request made to him by the second respondent in the month of May 2018. The third respondent shall respond to the said request within a period of four weeks from the date of receipt of copy of this order. The copy of the same shall also be marked to the petitioner. The

petitioner is directed to make a fresh representation to the third respondent along with a copy of this order and a copy of the representation shall be marked to the second respondent.

5.This Writ Petition is disposed of with the above directions. No costs.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

bkn

To

- 1.The Principal Secretary,
Health Department,
Fort St. George,
Chennai - 600 009.
- 2.The Principal,
Government Medical College Hospital,
Villupuram District.
- 3.The Executive Engineer,
Public Works Department,
Building Section,
(Medical Works),
Vellore - 6.
- 4.The General Manager,
TND - 495,Villupuram - Cuddalore District,
Co-operative Milk Producers Society Limited,
(Aavin), Villupuram Taluk.

+1cc to M/s.S.S.Jothivani, Advocate, S.R.No.18180

+1cc to M/s.L.P.Shanmugasundaram, Advocate, S.R.No.19305

+1cc to the Government Pleader, S.R.No.18753

W.P. No. 18788 of 2019

CP(CO)
RN(03/06/2020)