



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 30.06.2020

CORAM :

THE HONOURABLE MR.JUSTICE C.SARAVANAN

W.P. (MD) No.7122 of 2020

and

W.M.P. (MD) No.6562 of 2020

S.Leelipushpam

... Petitioner

vs.

1.The Government of Tamil Nadu,
rep. by its Director,
Medical, Rural Health Services and
Family Welfare Department,
Tenampet, Chennai - 600 006.

2.The Joint Director,
Medical, Rural Health Services and
Family Welfare Department,
Virudhunagar,
Virudhunagar District.

3.The General Manager,
Virudhunagar District Co-operative Milk
Producers Union Limited,
Meenatchipuram Post,
Madurai Road, Srivilliputhur,
Virudhunagar District.

4.The Executive Engineer,
PWD Building Maintenance Division,
Virudhunagar.

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus, forbearing the respondents from vacating the petitioner's Aavin Depot situated in Virudhunagar Head Quarters Government Hospital, Virudhunagar District without following due process of law.

For Petitioner : Mr.I.Pinaygash



For Respondents : Mr.C.M.Mari Chelliah Prabhu, AGP
for RR1, 2 and 4
Mr.Mareesh Kumar for R3

WEB COPY

ORDER

Heard the learned counsel appearing for the petitioner and the learned Additional Government Pleader appearing for the respondents 1, 2 and 4 and also the learned counsel appearing for the 3rd respondent.

2.The learned counsel appearing for the 3rd respondent submits that there is no proposal to ask the petitioner to vacate the premises, where the petitioner's Aavin booth is situated.

3.The learned Additional Government Pleader appearing on behalf of the respondents 1, 2 and 4 also submitted that no proceeding has been initiated to vacate the petitioner from the premises.

4.Recording the said submissions, this writ petition is disposed of giving liberty to the respondents to initiate proceedings as and when circumstances arise for evicting the petitioner in accordance with law. It is made clear that no proceedings shall be initiated based on oral instructions of any Officers of the respondent. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar ()

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

Note:

In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.



To

- 1.The Director,
Government of Tamil Nadu,
Medical, Rural Health Services and
Family Welfare Department,
Tenampet, Chennai - 600 006.
- 2.The Joint Director,
Medical, Rural Health Services and
Family Welfare Department,
Virudhunagar,
Virudhunagar District.
- 3.The Executive Engineer,
PWD Building Maintenance Division,
Virudhunagar.
- 4.The General Manager,
Virudhunagar District Co-operative Milk
Producers Union Limited,
Meenatchipuram Post,
Madurai Road, Srivilliputhur,
Virudhunagar District.

W.P (MD) No. 7122 of 2020
30.06.2020

Arul
SDS (03.07.2020) 3P-5C