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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.08.2021

CORAM

THE HONOURABLE MR.JUSTICE T.RAJA
AND
THE HONOURABLE MR.JUSTICE C.SARAVANAN

W.A.NO.468 OF 2013

A.S.Jaleel

.. Appellant/
Petitioner

-vs-

1. The State of Tamil Nadu
rep.by its Secretary to Government
Public Works Department
Fort St.George, Chennai 600 009
2. The Commissioner of Transport
Assistant Engineer, PWD
Building Maintenance
Town North Section
Coimbatore 640 001
3. The Regional Transport Officer
Coimbatore South
Coimbatore
4. The Executive Engineer
Public Works Department
Building Division (Operation
& Maintenance)
Coimbatore

..Respondents

Appeal filed under Clause 15 of the Letters Patent, against the order dated 09.11.2012 made in W.P.No.39524 of 2006.

W.P.No.39524 of 2006:

Writ of Certiorarified Mandamus calling for the records relating to the order dated 06.10.2006 in Letter No.1330/98/A2 of the fourth respondent herein and quash the same and consequently direct the respondents 3 and 4 herein to grant renewal of the license to run the tea stall in the premises of the third respondent herein to the petitioner for a further period of 3 years.



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For Appellant :: Mr.L.Chandrakumar
For Respondents :: Mr.T.Arunkumar
 Government Advocate

JUDGMENT

(Judgment of the Court was made by T.RAJA, J.)

This writ appeal has been directed against the impugned order dated 9.11.2012 passed in Writ Petition No.39524 of 2006, wherein the prayer for quashing the order dated 6.10.2006 in Letter No.1330/98/A2 of the Executive Engineer, Public Works Department, Coimbatore, the fourth respondent herein with a consequential direction to the respondents 3 & 4 to grant renewal of licence to run the tea stall in the premises of the third respondent to the appellant/writ petitioner for a further period of three years, was refused by the learned single Judge.

2. We have heard the learned counsel appearing for the appellant/writ petitioner and the learned Government Advocate appearing for the respondents.

3. Although the prayer sought for by the appellant/writ petitioner has now become infructuous, the interim order dated 25.2.2014 passed by this Court shows that the earlier order dated 12.3.2013 allowing the appellant to run the bunk shop, was further continued and thereafter, the appellant was also asked to pay the monthly rent for the bunk shop. Based on the further payment made by the appellant, it is stated that the appellant has been allowed to run the bunk shop in the premises of the third respondent. Therefore, the appellant/writ petitioner is given liberty to make a fresh application. If any such application is filed, taking into account the present need, the third respondent shall consider the same, keeping in view the earlier order dated 18.7.2006 passed in Writ Petition No.7517 of 2004, wherein this Court had directed the respondents to give preference to the appellant/writ petitioner. With this observation, the writ appeal stands disposed of. No costs.

s/d-

Assistant Registrar(CS VIII)

True Copy

Sub-Assistant Registrar

SS



To

1. The Secretary to Government
Public Works Department
Fort St. George
Chennai 600 009
2. The Commissioner of Transport
Assistant Engineer
Public Works Department
Building Maintenance
Town North Section
Coimbatore 640 001
3. The Regional Transport Officer
Coimbatore South
Coimbatore
4. The Executive Engineer
Public Works Department
Building Division (Operation & Maintenance)
Coimbatore

+lcc to Government Pleader, SR.No.39106

W.A.No.468 of 2013

NR(CO)
PM(03/09/2021)