



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 29.10.2021

CORAM

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P. No. 28294 of 2011

A.Paramasivam

...Petitioner

Vs

1. The Medical Superintendent
Rajiv Gandhi Government General Hospital
Chennai-3.
2. The Secretary
Animal Husbandary and Fisheries Department
Fort St. George, Chennai-9.
3. The Secretary
Public Works Department
Fort St. George, Chennai-9.
4. The Joint Managing Director
Tamil Nadu Co-operative Milk Producers
Federation Limited
Marketing Unit Corporate Office
Nandanam, Chennai-3.

...Respondents

Petition filed Under Article 226 of the Constitution of India, to issue a Writ of Mandamus, issued for a direction directing the fourth respondent for extension of time for running outlet of Aavin Milk Depot by Petitioner and pursuant to the letter Reg. No. 1822/N2/Mkg/2008 dated 09.07.2010.

For Petitioner : Mr. K.Kannan

For Respondents : Mr. K.M.D.Muhilan
Government Advocate

O R D E R

The relief sought for in the writ petition is to direct the Fourth Respondent for extension of time running outlet of Aavin Milk Depot by the Petitioner and pursuant to the letter Reg. No. 1822/N2/Mkg/2008 dated 09.07.2010.

2. The letter dated 09.07.2010 issued by the General Manager (Marketing), Tamil Nadu Co-operative Milk Producers' Federation Limited, Nandanam, Chennai - 35 reveals that the federation has



already allotted Franchise Retail Outlet to run Aavin at Government Hospital, subject to get approval for the site allotted at Government Hospital, Park Town from Medical and PWD authorities concerned.

3. However, the Petitioner could not able to produce the same within the time limit prescribed before the authorities concerned. The said order was passed in the year 2010, i.e., 09.07.2010. Running of canteen franchise in Government Hospital and medical college Hospital underwent change of policy and the Government has issued revised policy for grant of such permissions, during the pendency of the writ petition. Further, the letter dated 09.07.2010 cannot be now acted upon after a lapse of more than 10 years, in view of the facts tha the petitioner has not produced necessary approval for the site, if any, allotted. Thus, the petitioner is at liberty to submit an application, if any, notification is issued for running such franchise.

4. With this liberty this writ Petition is disposed of. No costs.

Sd/-

Assistant Registrar(CS IV)

True Copy//

Sub Assistant Registrar

Maya

To

1. The Medical Superintendent
Rajiv Gandhi Government General Hospital
Chennai-3.
2. The Secretary
Animal Husbandary and Fisheries Department
Fort St. George, Chennai-9.
3. The Secretary
Public Works Department
Fort St. George, Chennai-9.
4. The Joint Managing Director
Tamil Nadu Co-operative Milk Producers
Federation Limited
Marketing Unit Corporate Office
Nandanam, Chennai-3.

+1cc to the Government Pleader, S.R.No.57147

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NSK 25/11/2021