



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. 29330 of 2011

A.Paramasivam

...Petitioner

Vs

1.The Medical Superintendent
Rajiv Gandhi Govt. General Hospital
Chennai - 3.

2.The Joint Managing Director
Tamil Nadu Co-operative Milk Producers
Federation Limited
Marketing Unit Corporate Office
Nandanam, Chennai - 35.

3.The Secretary
Public Works Department
Fort St. George, Chennai - 9.

...Respondents

Petition filed Under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the Third Respondent to consider the Petitioner's representation dated 08.11.2011 and pass appropriate orders thereon according to law and also directing the third respondent to allot the required land to the petitioner so to enable him run the said outlet thereon.

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 for a direction directing the Third Respondent to consider the Petitioner's representation dated 08.11.2011 and pass appropriate orders thereon according to law and consequently, directing the third respondent to allot the required land to the petitioner so to enable him to run the said outlet thereon.



2. The letter dated 20.07.2009 issued by the Marketing Manager, 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 2009. 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 permissions, during the pendency of the writ petition. Further, the letter dated 20.07.2009 cannot be now acted upon after a lapse of more than 11 years, in view of the fact that 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 Govt. General Hospital, Chennai - 3.
- 2.The Joint Managing Director,
Tamil Nadu Co-operative Milk Producers Federation Limited,
Marketing Unit Corporate Office, Nandanam, Chennai - 35.
- 3.The Secretary,
Public Works Department,
Fort St. George, Chennai - 9.

+1cc to the Government Pleader Sr No.57148

W.P. No. 29330 of 2011

NK (CO)
PR (26/11/2021)