



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 20.09.2021

CORAM:

THE HON'BLE MR. JUSTICE S.M.SUBRAMANIAM

WP NO.21768 OF 2016

AND

WMP NOS.18618 & 18619 OF 2016

K.Fazila

...Petitioner / Petitioner

Vs

1.The Secretary to Government of Tamil Nadu,
Higher Education Department,
Fort St. George, Chennai-600 009.

2.The Joint Director,
(Planning and Development),
Directorate of College Education,
Chennai-600 006.

3.The Principal,
Queen Marys College (Autonomous),
Chennai-600 004.

4.S.Jayalaxmi

...Respondents

[4th respondent impleaded vide of this Court [SMSJ] dated
20.09.2021 made in WMP No.24163 of 2016 in WP No.21768 of 2016]

PRAYER : This Writ Petition is filed under Article 226 of the Constitution of India, praying for issuance of Writ of Certiorarified Mandamus, calling for the records pending on the file of the 3rd respondent in its proceedings Na.Ka.No.2851/D1/2013 dated 03.03.2016 and also on the file of the 2nd respondent in his proceedings Na.Ka.No. 15215/J4/2015 dated 12.04.2016 quash the same as null and void and consequently direct the 1st respondent to grant permission to the petitioner to run a bunk stall at the 3rd respondent college situated at Queen Marys College (Autonomous), Chennai-600 004.

For Petitioner : Mr.M.Madhu Prakash

For Respondents : Mr.C.Kathiravan (for R1 to R3)
Government Advocate.
M/s.Inthu Karunakaran (for R4)



O R D E R

The order impugned dated 12.04.2016, rejecting the claim of the writ petitioner to install a bunk shop inside the premises of 3rd respondent College viz., Queen Marys College (Autonomous) is under challenge in the present writ petition.

2. Installation of bunk shop within a college premises can never be claimed as a matter of right. Only if any illegality in the matter of allotment is established, the case of the petitioner is to be looked into.

3. Further, the learned counsel appearing for the newly impleaded respondent viz., the 4th respondent made a submission that the 2nd respondent has allotted 100 sq.ft of vacant land within the campus of the 3rd respondent college to the 4th respondent's husband in order to construct the superstructure in his own expenses and run a canteen vide allotment letter bearing Na.Ka.No.22053/J4/2013 dated 14.08.2013 and since then, the canteen named 'Selvarasi' is being run in 3rd respondent college till date. Learned counsel further submitted that Fire licence bearing RC No.6297/B2/2016 has been obtained in the name of the 4th respondent.

4. This being the factum, the petitioner is not entitled for the relief as such sought for in the present writ petition. If at all any such notification is issued calling for tender or otherwise, the petitioner is at liberty to participate, if he is otherwise eligible and qualified.

5. With these observations, the writ petition stands disposed of. No Costs. Consequently, the connected Writ Miscellaneous Petitions are closed.

Sd/-

Assistant Registrar(CS-VII)

// True Copy //

Sub Assistant Registrar

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To

1.The Secretary to Government of Tamil Nadu,
Higher Education Department,
Fort St. George, Chennai-600 009.

2.The Joint Director,
(Planning and Development),
Directorate of College Education,
Chennai-600 006.



3.The Principal,
Queen Marys College (Autonomous),
Chennai-600 004.

+1cc to M/s.Inthu Karunakaran, Advocate SR.No.48151

+1cc to the Government Pleader SR.No.48570

WP No.21768 of 2016

BS (CO)
RVM(29/11/2021)