

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.12.2021

CORAM :

THE HONOURABLE MR.JUSTICE R.SURESH KUMAR

Writ Petition No.27345 of 2021
and
W.M.P.No.28857 of 2021

K.Bowjagani

... Petitioner

-Vs-

1. The General Manager
Villupuram Cuddalore District Milk
Producers Union Limited, Villupuram
Villupuram Taluk & District.
2. The Manager - Marketing
Villupuram Cuddalore District Milk
Producers Union Ltd., Villupuram
Villupuram Taluk & District.

... Respondents

Prayer : Writ Petition under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus directing the respondents to consider the representations of the petitioner dated 08.11.2021 and 08.12.2021 and issue an order renewing the license of this petitioner to run Aavin Parlour at the Government Medical College Hospital at Mundiampakkam Village, Villupuram Taluk.

For Petitioner : Mr.S.Srinath

For Respondents : Mrs.S.Anitha
Special Government Pleader

O R D E R

The prayer sought for herein is for a Writ of Mandamus directing the respondents to consider the representations of the petitioner dated 08.11.2021 and 08.12.2021 and issue an order renewing the license of this petitioner to run Aavin Parlour at the Government Medical College Hospital at Mundiampakkam Village, Villupuram Taluk.

2. The petitioner has already been given permission or license to run Aavin Parlour at the Government Medical College Hospital, Mundiampakkam, Villupuram District. The said permission / license was expiring by 08.12.2021. Therefore, in order to extend the said permission / license for a further period of one year, the petitioner, having paid one year lease amount in advance, had given a request on 12.11.2021. Thereafter, even till 08.12.2021 since the lease has not been extended and nothing was forthcoming, he has given a reminder representation on 08.12.2021. Despite these requests and representations, after having paid the one year lease and license fee in advance, since no further orders have been passed by the respondents in favour of the petitioner and no decision has been taken on the representations of the petitioner, he has approached this Court by filing the present writ petition.

3. Heard Mr.S.Srinath, learned counsel for the petitioner, who after having reiterated the aforesaid facts, seeks the indulgence of this Court to issue a direction to the respondents to consider the representations dated 08.11.2021 and 08.12.2021 and pass orders thereon.

4. Heard Mrs.S.Anitha, learned Special Government Pleader appearing for the respondents, who on instructions would submit that, it is not as a matter of right that the petitioner can seek for any extension, as the same is not automatic and in this regard the feasibility of the extension or otherwise or to go for fresh auction would be decided by the respondents. Anyhow, the representations submitted by the petitioner dated 08.11.2021 and 08.12.2021 will be considered by the respondents on merits and the same will be decided within a time frame that may be stipulated by this Court.

5. Having considered the said submission made by the learned counsel for both sides and taking into account the aforesaid factual matrix, this Court is inclined to dispose of this writ petition with the following order.

"That there shall be a direction to the respondents to consider the request of the petitioner dated 08.11.2021 and 08.12.2021 and decide the same on merits and in accordance with law within a period of two weeks from the date of receipt of a copy of this order."

6. With the above direction, this writ petition is disposed of. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar(CS-VI)

//True Copy//

Sub Assistant Registrar

KST

To

1. The General Manager
Villupuram Cuddalore District Milk
Producers Union Limited, Villupuram
Villupuram Taluk & District.
2. The Manager - Marketing
Villupuram Cuddalore District Milk
Producers Union Ltd., Villupuram
Villupuram Taluk & District.

+1cc to Mr.S.Srinath, Advocate, S.R.No.68862

+1cc to the Government Pleader, S.R.No.69552 [29/04/2022]

W.P.No.27345 of 2021

SRA(CO)
SU(23/12/2021)