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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 11.03.2022

CORAM:

THE HON'BLE MR.JUSTICE M.GOVINDARAJ

WP NO.18443 OF 2011

AND

MP NO.1 OF 2011

K.Sarojadevi

...Petitioner

Vs.

1. The Chief Engineer
The Tamilnadu Public Works Department
(Buildings)
Chepauk, Chennai - 5.
2. The Executive Engineer
Public Works Department (Ka & Pa) Zone
Salem - 7.
3. The Dean
Govt. Mohan Kumaramangalam
Medical College Hospital
Salem.

...Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India praying for issuance of Writ of Certiorarified Mandamus, to call for the records pertaining to the letter of the 2nd respondent dated 19.01.2011 and quash the same and consequently direct the respondents to transfer the STD booth license stood in the name of the Late P.Kanagaraj to and in favour of the petitioner to continue the STD booth operation in the campus of the 3rd respondent Hospital.

For Petitioner : Mr.C.K.M.Appaji

For Respondents : Ms.Senthil Selvi
1 and 2 Government Advocate



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O R D E R

The petitioner aggrieved over the rejection of her request to transfer the license to run a STD Booth within the campus of respondent Hospital in her favour has approached this Court.

2.The main ground taken in the writ petition itself is that the respondents have not given reasons for not permitting the petitioner to continue the STD Booth at Government Mohan Kumaramangalam Medical College Hospital, Salem.

3.A perusal of the impugned letter dated 19.01.2011 discloses that the second respondent has not given any specific reason for not transferring the STD Booth license in favour of the petitioner in spite of her request that her husband was a handicapped person. On the other hand, by filing counter affidavit, the second respondent has tried to improve the impugned order that the petitioner is not a physically handicapped woman and that she is not entitled to transfer the STD Booth allotted under the physically handicapped quota.

4.Considering the facts and circumstances of the case, the non-speaking impugned order dated 19.01.2011 of the second respondent is set aside and a direction is issued to the second respondent to pass a speaking order, after giving opportunity to the petitioner, within a period of four weeks from the date of receipt of a copy of this order.

5.The writ petition is ordered accordingly. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar(CS III)

/True Copy//

Sub Assistant Registrar

TK

To

1. The Chief Engineer
The Tamilnadu Public Works Department
(Buildings)
Chepauk, Chennai - 5.



2. The Executive Engineer
Public Works Department (Ka & Pa) Zone
Salem - 7.

3. The Dean
Govt. Mohan Kumaramangalam
Medical College Hospital
Salem.

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