



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **24.06.2022**

CORAM

THE HON'BLE MR.JUSTICE R.VIJAYAKUMAR

W.P. (MD) .No.12900 of 2012

and

M.P. (MD) Nos.1 of 2012 and 1 of 2015

S.Selvarani

... Petitioner

Vs.

1. The Government of Tamilnadu,
represented by its Principal Secretary,
Department of Health and Family Welfare,
Fort St.George, Chennai - 9.

2. The Director of Medical and
Rural Services,
Chennai - 600 006.

3. The Chief Engineer,
Public Works Department,
Chepauk, Chennai - 600 005.

4. The Executive Engineer,
Public Work Department,
Building Construction and
Maintenance Division,
Pudukottai, Pudukottai District.

5. The Assistant Engineer,
Public Work Department,
Building Construction and
Maintenance Division, Peravurani Road,
Aranthangi, Pudukottai District.

6. The Chief Medical Officer,
Aringar Anna Government Hospital,
Aranthaki,
Pudukottai District.

... Respondents

PRAYER : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus, to call for the records pertaining to the impugned order in Na.Ka.No.13743/ThiVa1/4/2012 dated 18.07.2012 on the file of the second respondent and quash the same as illegal and consequently, direct the second respondent to provide renewal of license for once in three years in respect of running NAESEY Kiosk Canteen in the premises of the sixth respondent Government Hospital Campus.



For Petitioner : Mr.M.Mahaboob Fazil
for Mr.T.Lajapathi Roy
For Respondents : Mr.D.SasiKumar
Additional Government Pleader

WEB COPY

ORDER

The present writ petition has been filed challenging an order passed by the second respondent herein under which the request of the petitioner for grant of license for a period of three years has been rejected on the ground that it is feasible to grant license only on an year to year basis.

2. The learned Counsel for the petitioner submitted that it is very difficult to approach the authorities for getting license every year and he further contends that in all other Government Hospitals they are following a procedure under which a license is granted for a period of three years and hence the impugned order is factually incorrect. However, the learned Government Pleader appearing for the respondent contends that after the impugned order, a Government Order has been passed to the effect that the question of granting license directly would not arise and the Hospital authorities have been directed to go for a public auction.

3. A licensee will not have any legal right to force his licensor that the license period should be for a period of three years and not for a period of one year. It seems that the petitioner is enjoying his license even today which is being renewed from the year 2011 onwards. Incase, if the respondents make any attempt to disturb the writ petitioner without following any Government Orders, the petitioner is always at liberty to approach this Court. However this Court cannot interfere in the right of the licensor to fix the license period.

4. With the above said observations, the Writ Petition is disposed of. No costs. Consequently connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar (CS II)

// True Copy //

/07/2022

Sub Assistant Registrar(CS)



To

1. The Principal Secretary to
Government of Tamilnadu,
Department of Health and Family Welfare,
Fort St.George, Chennai - 9.

2. The Director of Medical and
Rural Services,
Chennai - 600 006.

3. The Chief Engineer,
Public Works Department,
Chepauk, Chennai - 600 005.

4. The Executive Engineer,
Public Work Department,
Building Construction and
Maintenance Division,
Pudukottai, Pudukottai District.

5. The Assistant Engineer,
Public Work Department,
Building Construction and
Maintenance Division, Peravurani Road,
Aranthangi, Pudukottai District.

6. The Chief Medical Officer,
Aringar Anna Government Hospital,
Aranthaki,
Pudukottai District.

+1 CC to M/s.T. LAJAPATHI ROY, Advocate (SR-28116[F] dated
27/06/2022)

+1 CC to M/s.SPL.GP (SR-28246[F] dated 27/06/2022)

Order made in
W.P. (MD) .No.12900 of 2012
24.06.2022

= SS/08/07/2022/ 3P 9C