



W.P(MD)No.5545 of 2020

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 29.07.2022

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.5545 of 2020

and

W.M.P.(MD)Nos.4847 and 4848 of 2020

A.Venkatachalapathy

... Petitioner

Vs.

1.The Principal District Judge,
District Court Complex,
Thanjavur.

2.The Managing Director,
Thanjavur District Co-operative Milk,
Producers Union Limited,
Thanjavur – 6.

3.The Executive Engineer,
Public Works Department,
Building Construction and
Maintenance Division,
Thanjavur.

... 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 relating to the memo of the 1st respondent dated 19.09.2019 in R.No.7551/Aa2 and quash the same and consequently directing the respondents to permit the petitioner to run the Aavin milk bar in the newly constructed



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integrated District Court complex, Thanjavur as concessionaire of the
2nd respondent.

For Petitioner : Mr.J.Parekhkumar

For Respondents : Mr.D.Venkatesh for R1.

Mr.Abdul Kalam Azed for R2.

Mr.K.Balasubramani,
Spl. Government Pleader for R3.

ORDER

Heard the learned counsel on either side.

2.The petitioner was running Aavin Milk Bar as a franchise in the District Court complex of Thanjavur. Following construction of integrated Court building, Courts have been shifted. The petitioner wants to run his outlet in the newly constructed campus also. A request was made to the first respondent. The first respondent by the impugned communication declined to consider. Questioning the same, the present writ petition has been filed.

3.When the matter was taken up for hearing, I wanted to know from the learned standing counsel for Aavin, if they are willing to continue the petitioner



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as their franchise. The second respondent had made it clear that they have no objection for the petitioner to run an Aavin outlet in the newly constructed Court complex.

4.I also heard the learned counsel for the first respondent as well as the learned Special Government Pleader for the third respondent. Since Aavin has given its concurrence, the third respondent is directed to earmark a site in the newly construct District Court complex, Thanjavur after obtaining the concurrence of the first respondent. The first respondent will give his consent for an appropriate site. The entire exercise shall be completed within a period of eight weeks from the date of receipt of a copy of this order.

5.The writ petition is allowed accordingly. No costs. Consequently, connected miscellaneous petitions are closed.

29.07.2022

Index : Yes / No
Internet : Yes/ No
ias

To:

The Executive Engineer,
Public Works Department,
Building Construction and
Maintenance Division,
Thanjavur.



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G.R.SWAMINATHAN, J.

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