



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 29.03.2022

CORAM:

THE HONOURABLE MR.JUSTICE **ABDUL QUDDHOSE**

W.P. (MD)No.5577 of 2022

and W.M.P. (MD).Nos.4510, 4512 & 4513 of 2022

WEB COPY

G.Muthu Ramanujam

.. Petitioner

Vs

1.The Director of Medical and Rural Health Services,
O/o. The Director of Medical and Rural Health Services,
359, Anna Salai,
Teynampet,
Chennai.

2.The Periyakulam Government Head Quarters Hospital,
rep. by its Dean,
Periyakulam Government Head Quarters Hospital,
Theni District.

3.The Assistant Executive Engineer,
O/o. The Assistant Executive Engineer,
Public Works Department,
Building and Maintenance Section,
(Medical Works),
Theni District.

.. Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India to issue a Writ of Certiorarified Mandamus, calling for the records relating to the impugned order in Letter Ka.No.Ko.51/2021/U.Se.Po(mapa)/Theni, dated 15.03.2021, on the file of the Respondent No.3 and quash the same as illegal and consequently, direct the respondents to keep all eviction proceedings in abeyance till the respondents 1 disposes the petitioners renewal application for the NAESEY Kiosk situated in Periyakulam Government Head Quarters Hospital.

For Petitioner : Mr.Mahaboob Fazil for
M/s.T.Lajapathi Roy

For Respondents : Mr.T.Amjad Khan,
Government Advocate

ORDER

This writ petition has been filed challenging the impugned letter, dated 15.03.2021, issued by the third respondent.



2.Heard Mr.Mahaboob Fazil, learned counsel appearing for the petitioner and Mr.T.Amjad Khan, learned Government Advocate, who accepts notice on behalf of the respondents.

3.The petitioner seeks extension of contract. He is running a Kiosk at Periyakulam Government Head Quarters Hospital and his contract has expired. It is the contention of the petitioner that till date, without any default he has been paying the licence charges to the respondents. It is the contention of the petitioner that his case for extension has already been recommended by the Joint Director of Medical and Rural Health Services on 21.06.2021. According to him, despite the said recommendation, no final orders have been passed by the first respondent.

4.Under the impugned communication, no adverse orders has been passed against the petitioner. In such circumstances, the learned counsel for the petitioner submits, on instructions, that the petitioner will be satisfied, if the recommendation made by the Joint Director of Medical and Rural Health Services is considered by the first respondent on merits and in accordance with law.

5.No prejudice will be caused to the respondents, if such an exercise is done.

6.Accordingly, this Court directs the first respondent to consider the recommendation of the Joint Director of Medical and Rural Health Services, dated 21.06.2021 and pass final orders on the request made by the petitioner, seeking for extension of his contract of running Kiosk at Periyakulam Government Head Quarters Hospital, within a period of eight weeks from the date of receipt of a copy of this order, after affording a fair hearing to the petitioner.

7.With the aforesaid directions, this writ petition is disposed of. No costs. Consequently, connected miscellaneous petitions are closed.

8.Until the final orders are passed, status quo as on date shall be maintained.

Sd/-

Assistant Registrar (RTI)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

TM

<https://hcservices.ecourts.gov.in/hcservices/>



Note: In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the Advocate/litigant concerned.

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To

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Theni District.

+1 CC to M/s.T.LAJAPATHI ROY, Advocate (SR-15226[F] dated
30/03/2022)

+1 CC to M/s.SPL GP (SR-15332[F] dated 30/03/2022)

W.P. (MD)No.5577 of 2022

29.03.2022

RD(08.04.2022) 3P 6C