



**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 26.05.2022**

CORAM

THE HONOURABLE MR.JUSTICE **R.SURESH KUMAR**
and
THE HONOURABLE MR.JUSTICE **R.VIJAYAKUMAR**

W.P (MD) .No.10562 of 2022
and
W.M.P (MD)No.7695 of 2022

Velayutham

... Petitioner

Vs.

- 1.The Director,
Directorate of Medical College,
156, Poonthamalli Road,
Chepauk,
Chennai - 600 031.
- 2.The Chief Engineer,
Construction and Maintenance,
Public Works Department,
Construction and Maintenance Division,
Kamarajar Salai,
Chennai.
- 3.The District Collector,
Thanjavur District,
Thanjavur.
- 4.The Director,
Public Health and Preventive Medicine,
Directorate,
Chokkalingam Nagar,
Teynampet, Chennai.
- 5.The Director,
Public Health and Social Welfare,
DMS Building,
Teynampet,
Chennai.
- 6.The Dean,
Thanjavur Medical College,
Thanjavur.



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

8.The Assistant Engineer,
Public Works Department,
Building and Construction Maintenance Division,
Thanjavur Medical College Premises,
Thanjavur.

... Respondents

Prayer: Petition filed under Article 226 of the Constitution of India praying to issue a writ of Mandamus forbearing the respondents from granting permission to the proposed canteen and tea stall going to be situated just abutting to the public toilet within the premises of Government Medical College Campus, Thanjavur and consequently direct the respondents to follow the G.O.Ms.No.93, dated 25.03.2015, Health and Family Welfare Department, for opening the canteen and tea stall in the Government Medical College Campus, Thanjavur, on the basis of the petitioner's representation dated 19.05.2022.

For Petitioner : Mr.K.Baalasundharam

For Respondents : Mr.J.Ashok

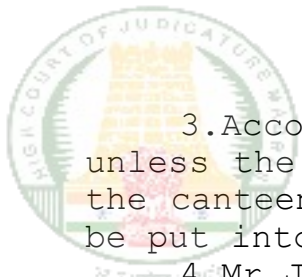
Additional Government Pleader

O R D E R

(Order of the Court was made by **R.VIJAYAKUMAR, J.**)

The present writ petition has been filed as Public Interest Litigation, seeking for a Mandamus, forbearing the respondents from granting any permission to the proposed canteen and tea stall going to be situated abutting the public toilet, within the premises of Government Medical College Campus, Thanjavur and consequently direct the respondents to follow the Government Order in G.O.Ms.No.93, Health and Family Welfare Department, dated 25.03.2015.

2.The learned counsel appearing for the petitioner submits that the present construction of the canteen and tea stall are just abutting the public toilet, which is located within the Hospital premises. However, the photographs annexed with the writ petition as well as the copy of the photographs furnished to us at the time of hearing will not indicate that the alleged construction is located abutting the public toilet. However, the learned counsel appearing for the petitioner would submit that the Hospital authorities are attempting to lease out the said property without following the Government Order in G.O.Ms.No.93, Health and Family Welfare Department, dated 25.03.2015.



3. According to the learned counsel appearing for the petitioner unless the tender is called for from the general public for running the canteen and tea stall, the said canteen and tea stall could not be put into operation.

4. Mr. J. Ashok, learned Additional Government Pleader, who takes notice for the respondents submits that the Government Order in G.O.Ms.No.93, Health and Family Welfare Department, dated 25.03.2015 would be strictly followed before putting into operation of canteen and tea stall.

5. Recording the said statement of the learned Additional Government Pleader, this writ petition is disposed of, with a direction to the respondents to follow the Government Order in G.O.Ms.No.93, Health and Family Welfare Department, dated 25.03.2015, strictly before putting into operation. No costs. Consequently, connected Miscellaneous Petition is closed.

Sd/-

Vacation Officer

// True Copy //

28/05/2022

Sub Assistant Registrar(CS)

VRN/PJL

To

1. The Director,
Directorate of Medical College,
156, Poonthamalli Road,
Chepauk,
Chennai - 600 031.
2. The Chief Engineer,
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Public Works Department,
Construction and Maintenance Division,
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8.The Assistant Engineer,
Public Works Department,
Building and Construction Maintenance Division,
Thanjavur Medical College Premises,
Thanjavur.

+1 CC to M/s.K. BAALASUNDHARAM, Advocate (SR-24162[F] dated
26/05/2022)

+1 CC to M/s.SPL.GP (SR-24175[F] dated 27/05/2022)

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and
W.M.P (MD) No.7695 of 2022
26.05.2022

MGJ(28.05.2022) 4P 11C