



W.P.No.13518 of 2023

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated: 28.04.2023

CORAM

THE HONOURABLE DR. JUSTICE ANITA SUMANTH

W.P.No.13518 of 2023 and
WMP.No.13191 of 2023

K.Kalaiselvi

... Petitioner

Vs

1. Director of Medical Services &
Rural Welfare, Chennai - 600 006.
2. The Joint Director of Health Services
Kallakurichi Taluk & District.
3. The Medical Officer
Govt. District Headquarters Hospital
Kallakurichi Taluk & District.
4. The Chief Engineer
Public Works Dept.
Chepauk, Chennai - 600 005.
5. The Executive Engineer
Public Works Department Building, (C&M) Division,
Kallakurichi Taluk & District.
6. The Assistant Executive Engineer
Public Works Department Building, (C&M) Sub-Division,
Kallakurichi Taluk & District.



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7.The Asst. Engineer

Public Works Department Buildings (C&M) Section,
Chinnasalem, Kallakurichi District.

8.The General Manager (Aavin)

Co-operative Milk Producers Union Ltd.,
Chinnasalem, Kallakurichi District.

9.The General Manager (Aavin)

Villupuram District Co-Operative Milk Producers Union Ltd.,
Villupuram District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus to call for the records of the 5th respondent in vide Ref.No.N.K.No.84/E1/1083/2022PAS order dated 28.03.2023 quash the same and accordingly direct the 8th respondent to issue the Aavin Agency order to the petitioner Name the petitioner representation dated 27.03.2023.

For Petitioner : Mr.K.Krishna

For Respondents : Mr.K.V.Sajeev Kumar
Special Government Pleader

ORDER

Mr.K.V.Sajeev Kumar, learned Special Government Pleader accepts notice for the respondents and is armed with instructions to enable final disposal of this matter, even at the stage of admission.



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2. The petitioner is an individual, who has sought quashing of order passed by the Executive Engineer, Public Works Department Buildings dated 28.03.2023 and a consequential direction to the 8th respondent, the General Manager (Aavin), Cooperative Milk Producers Union Ltd. (in short 'Aavin') to issue an order to the petitioner for Aavin Agency.

3. In fact, the petitioner has made a representation on 27.03.2023 before R8 seeking the same relief.

4. Mr.Sajeev would point out that impugned order dated 28.03.2023 is in no manner adverse to the petitioner. R5 has only directed the petitioner to obtain necessary licence from R8 to commence the running of Aavin parlour from the space allotted. He would accede to the position that all the official respondents, barring R8, have taken necessary steps to enable the business of Aavin agency qua the petitioner.

5. Thus, all that remains is for R8 to consider the representation of the petitioner dated 27.03.2023 in light of the applicable statutory provisions and other Rules and Regulations and pass orders thereupon, after hearing the petitioner.

6. For this purpose, the petitioner is directed to appear before R8 on Tuesday, the 02nd of May, 2023 at 10.30 a.m., on which day, she shall be heard and orders passed within a period of one (1) week thereafter.



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7. In light of the aforesaid, this Writ Petition stands disposed. No costs.

WEB CONNECTED Miscellaneous Petition is closed.

28.04.2023

Index : Yes / No

Speaking/non-speaking Order

Neutral Citation: Yes/No

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To

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Kallakurichi Taluk & District.

3. The Medical Officer
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