



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 22.11.2023

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P.(MD)No.27405 of 2023 AND
W.M.P.(MD)No.23543 of 2023

A.Banumathi

... Petitioner

Vs.

1. The Dean,
Govt. Rajaji Hospital,
Panagal Road,
Madurai – 625 020.

2. The Assistant Executive Engineer,
Public Works Department
Building (Maintenance) Sub Division,
Medical Services,
Tallakulam,
Madurai – 625 002.

... Respondents

Prayer: Writ petition filed under Article 226 of the Constitution of India, to issue a Writ of Declaration, declaring the first respondent's letter dated 01.11.2023 in Na.Ka. No.15057/ThiVa1/2020 and his subsequent Tender cum Auction notification dated 01.11.2023 to be held on 22.11.2023 are null and void and further directing the first respondent to consider the petitioner's representation dated 07.11.2023.

For Petitioner : Mr.A.Jeyaram

For Respondents: Mr.V.Nirmal Kumar,
Government Advocate.

* * *



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ORDER

Heard both sides.

2. The petitioner was granted license to run a canteen in the premises of the first respondent. The license period commenced on 17.12.2020. It was for a period of three years. The license period will expire on 16.12.2023. A Fresh tender notification has been issued. Tender-cum-auction is to be held today. The petitioner challenged the same on the ground that during Covid period, she could not run the canteen for about nine months. She therefore wants extension of the license period.

3. The Dean, Government Rajaji Hospital, Madurai has filed counter affidavit. In paragraph No.6 of the counter affidavit, the petitioner's claim that she was not able to run the canteen had been denied. The first respondent asserts that the petitioner was very much running the canteen without glitches as evident from her prompt payment of monthly license fee. I am not inclined to interfere for the reason that upset price has not been mentioned in the tender notification. The learned Additional Government Pleader states that when



the auction process takes place, it will be announced in the beginning itself. In any event, this is by itself does not infringe the petitioner's rights. The petitioner can very well take part in the proposed tender-cum-auction. This writ petition stands dismissed. No costs. Consequently, connected miscellaneous petition is closed.

22.11.2023

NCC : Yes / No
Index : Yes / No
Internet : Yes/ No

PMU

To:

1. The Dean,
Govt. Rajaji Hospital,
Panagal Road,
Madurai – 625 020.
2. The Assistant Executive Engineer,
Public Works Department
Building (Maintenance) Sub Division,
Medical Services,
Tallakulam,
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G.R.SWAMINATHAN,J.

PMU

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