



W.P(MD)No.4046 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 21.02.2024

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.4046 of 2024

and

W.M.P.(MD)No.3931 of 2024

S.Krishnaradha

... Petitioner

Vs.

1.The Dean,
Tirunelveli Government Medical College Hospital,
Tirunelveli.

2.The Executive Engineer,
Public Works Department,
Building (C and M) Division,
Medical Works, Tirunelveli.

3.The Assistant Executive Engineer,
Public Works Department,
Building (C and M) Division,
Medical Works, Tirunelveli.

4.The Assistant Engineer,
Public Works Department,
Building (C and M) Division,
Medical Works, Tirunelveli.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India,
praying this Court to issue a Writ of Mandamus, directing the 1st respondent



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either to renew the lease agreement or to grant permission to conduct the Canteen on temporarily basis till the fresh Public Auction conducted by the 1st respondent for running the already existing canteen in the premises of ward No.20, Tirunelveli Government Medical College Hospitals, Tirunelveli, on the basis of the petitioner's representation dated 29.01.2024 within the time frame as may be fixed by this Court.

For Petitioner : Mr.K.Govindarajan,
For Mr.M.P.Kannithevan

For Respondents : Mr.D.Gandhiraj,
Spl. Government Pleader.

ORDER

Heard both sides.

2.The petitioner is presently running a canteen in the premises of Tirunelveli Medical College and Hospital. The petitioner's license period has already come to end on 03.02.2024. The petitioner has now been called upon to vacate. The only request made by the petitioner is that till alternative arrangements are made by the hospital authorities on regular basis, she may be permitted to run the canteen by paying the usual license fee.



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3.I wanted to know from the instructing official as to when the fresh tender is to be called for. It is replied that the Dean proposes to issue license in favour Aavin. As and when such alternative arrangements are made by the first respondent, a formal communication shall be sent to the petitioner. The petitioner shall not refuse to receive the communication. Within 24 hours after receipt of such communication, the petitioner will close down her canteen and vacate the premises. I make it clear that the consent given by the petitioner for such an interim arrangement will not foreclose her right to move this Court again for appropriate relief. The alternative arrangements proposed by the first respondent should become functional within 24 hours after receipt of such communication to the petitioner.

4.This writ petition is disposed of accordingly. No costs. Consequently, connected miscellaneous petition is closed.

21.02.2024

NCC : Yes/No
Index : Yes / No
Internet : Yes/ No
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Issue order copy on 22.02.2024.



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G.R.SWAMINATHAN, J.

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To:

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Tirunelveli.
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