



W.P.(MD)No.16258 of 2018

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 19.11.2024

CORAM:

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

W.P.(MD)No.16258 of 2018

and

W.M.P(MD)Nos.14471 & 14472 of 2018

E.Muneeswaran

...Petitioner

-Vs-

1.The Director of Medical and Rural Health Services,
Directorate of Medical and Rural Health Services,
Anna Salai, Chokkalingam,
Chennai – 6.

2.The Joint Director of Medical and Rural Health Services,
O/o.the Joint Director of Medical and Rural Health Services,
Tenkasi, Tirunelveli District.

3.The Dean,
Government District Headquarters Hospital,
Tenkasi, Tirunelveli District.

...Respondents

Prayer : Writ Petition filed under Article 226 of Constitution of India praying for the issuance of a Writ of Certiorarified Mandamus, to call for the records pertaining to the impugned order in Na.Ka.No.11520/Thiva/2017, dated 29.05.2018 on the file of the Respondent No.2 and quash the same as illegal and consequently for a direction, directing the Respondent No.1 to renew the Permission granted to the Petitioner for running the PCO STD Booth at the 3rd Respondent Hospital premises within the time period.



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For Petitioners : Mr.S.Rajsekar
For Respondents : Mr.D.Gandhi Raj
Special Government Pleader

ORDER

This writ petition has been filed for the issuance of a Writ of Certiorarified Mandamus, to call for the records pertaining to the impugned order in Na.Ka.No.11520/Thiva/2017, dated 29.05.2018 on the file of the Respondent No.2 and quash the same as illegal and consequently for a direction, directing the Respondent No.1 to renew the Permission granted to the Petitioner for running the PCO STD Booth at the 3rd Respondent Hospital premises.

2.The petitioner is a physically challenged person and he was running a PCO-STD booth in the premises of the third respondent. However, the said business is not in existence. At this juncture, licence period was over and as such, he was directed to evict the premises and hand over vacant possession, which was challenged before this Court in WP(MD)No.2250 of 2023. This Court directed the petitioner to take part in the proposed auction to be conducted by the authorities in order to allot a shop in Chinthamani, Tenkasi,



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and not in the premises of the third respondent. However, so far, no auction has been conducted for allotment of shop at Chinthamani, Tenkasi. Insofar as the premises of the third respondent is concerned, now the respondents are erecting EB transformer and EB generator room in the vacant premises.

3. Admittedly, the petitioner has no licence. That apart, the third respondent is the authority to decide to make any construction, in which the petitioner has no locus to seek such a relief, that too, restraining the respondents putting up EB transformer or EB generator room in the premises of the third respondent.

4. In view of the above, the prayer sought for by the petitioner cannot be granted and this writ petition is devoid of merits. Accordingly, this writ petition is dismissed. No costs. Consequently, connected miscellaneous petitions are also closed.

19.11.2024

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



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G.K.ILANTHIRAIYAN. J,

RJR

To

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Chennai – 6.

2.The Joint Director of Medical and Rural Health Services,
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