



WEB COPY



W.P(MD)No.1966 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 09.01.2025

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THE HONOURABLE MR.JUSTICE G.K.ILANTHIRAIYAN

W.P(MD)No.1966 of 2022

and

W.M.P(MD)Nos.1691, 1694 & 1701 of 2022

S.Paul Raj

... Petitioner

Vs

1.The Government of Medical College Hospital,
Represented by its Dean,
Virudhunagar Government Medical College Campus,
Ramamoorthy Road,
Virudhunagar District.

2.The Assistant Executive Engineer,
O/o.The Assistant Executive Engineer,
Public Works Department,
Building and Maintenance Section,
(Medical Works), Virudhunagar,
Virudhunagar District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of Constitution of India, to issue a Writ of Certiorarified Mandamus calling for the records relating to the impugned order in Na.Ka.No. 1361/THiva1/2021 dated 19.01.2022 on the file of the first respondent and quash the same as illegal and consequently direct the respondents to permit the petitioner to run the kiosk tea shop in the Government Medical College Hospital, Ramamoorthy Road, Virudhunagar District by renewing the lease period within the time frame stipulated by this Court.



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For Petitioner : Mr.S.Rajasekar

For Respondents : Mr.N.Ramesh Arumugam

ORDER

This Writ Petition has been filed by the petitioner challenging the order passed by the first respondent dated 19.01.2022 thereby directing the petitioner to vacate and hand over the vacant possession of the shop.

2.Heard the learned counsel appearing on either side and perused the materials placed before this Court.

3.While pending the Writ Petition, the Government passed an order in G.O.Ms.No.194, Public Health and Family Welfare (H2) Department, dated 21.06.2022, thereby ordered to float public auction for allotment of the place to run the milk parlour or tea shop in the premises of the first respondent. Further, the lease period of the petitioner also got expired. Therefore, this Court finds no infirmity or illegality in the order passed by the first respondent, dated 19.01.2022. Hence, this Writ Petition is devoid of merits and the same is liable to be dismissed. Accordingly, this Writ Petition is



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dismissed. However, till the tender notification is issued by the first respondent, the petitioner can continue in the same shop situated in the first respondent Hospital. Further, the petitioner is at liberty to participate in the tender to be floated by the first respondent. There shall be no order as to costs. Consequently, connected Miscellaneous Petitions are closed.

09.01.2025

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

- 1.The Government of Medical College Hospital,
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G.K.ILANTHIRAIYAN, J.

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