



W.P.(MD)No.9375 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 03.04.2025

CORAM:

THE HONOURABLE MR.JUSTICE VIVEK KUMAR SINGH

W.P.(MD)No.9375 of 2025

and WMP (MD) No.7006 of 2025

M.Lakshmanan

: Petitioner

Vs.

1. The Dean / Principal,
The Government Rajaji Medical College and Hospital,
Madurai Medical College,
Madurai.

2. The Executive Engineer,
Public Works Department,
Construction and Maintenance (Medical Services),
Madurai.

3. The Assistant Executive Engineer,
Public Works Department,
Construction and Maintenance (Medical Services),
Thallakulam,
Madurai.

: Respondents

PRAYER: Writ Petitions filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the respondent to Renew the License of the petitioner pertaining to the running of Canteen situated at Government Rajaji Hospital, Madurai for the period of 3 years



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in the light of G.O.Ms.2160 dated 03.11.1987 by considering the petitioner application dated 25.02.2025.

For Petitioners : Mr.S.Ramsundarvijayraj

For Respondents : Mr.J.K.Jayaselan

Government Advocate

ORDER

This Writ Petition has been filed seeking a direction to the respondents to renew the license of the petitioner pertaining to the running of Canteen situated at Government Rajaji Hospital, Madurai for the period of three years in the light of G.O.Ms.2160, dated 03.11.1987, by considering the petitioner application dated 25.02.2025.

2. Heard the learned counsel for the parties. By consent of both parties, the Writ Petition is taken up for final disposal at the admission stage itself.

3. The petitioner claims to be operating a canteen within the premises of Government Rajaji Hospital, with the lease period for running the canteen set to expire on 01.05.2025. The petitioner's



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grievance is that, in accordance with G.O. 2160, dated 03.11.1987, the lease should be renewed in favor of the existing operator. In this regard, the petitioner submitted a representation dated 25.02.2025 to the first respondent, requesting for renewal of the lease agreement. However, as no action has been taken, the petitioner has now filed the present writ petition.

4. It is needless to point out that whenever a representation of this nature is made to a Statutory Authority, there is a duty cast upon him to consider the same on its own merits and pass appropriate orders in one way or other, instead of keeping the same pending indefinitely. As such, non-consideration of the representation by the Statutory Authority would amount to dereliction of duty and hence, this Court will be justified in invoking its extraordinary powers under Article 226 of the Constitution of India and direct them to consider the same within a stipulated time.

5. In the light of the above observations, there shall be a direction to the first respondent to consider the petitioner's representation dated 25.02.2025, on its own merits and pass appropriate orders in



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accordance with law, after giving due opportunity to the petitioner, as well as all other persons, who may be interested in the subject matter, within a period of four weeks from the date of receipt of a copy of this order. It is also made clear that this Court has not expressed any of its views with regard to the merits of the matter and that it is open to the first respondent to consider the same on its own merits.

6. With the above direction, the Writ Petition stands disposed of. There shall be no order as to costs. Consequently, the connected miscellaneous petition is closed.

03.04.2025

Index : Yes / No

Internet : Yes / No

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VIVEK KUMAR SINGH, J.

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