



W.P.(MD). No.16423 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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Dated : 17.06.2026

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THE HONOURABLE MR. JUSTICE D.BHARATHA CHAKRAVARTHY

W.P.(MD). No.16423 of 2026

and

W.M.P.(MD)Nos.12263 and 12264 of 2026

D.Gopinath

... Petitioner

Vs

1.The State of Tamil Nadu,
Rep. by its Secretary,
Health and Family Welfare Department,
Fort. St. George, Chennai - 600 009.

2.The Director of Medical Education,
Represented by the Director of Medical Education,
Kilpauk, Chennai - 600 010.

3.K.A.P.Viswanatham Government Medical College,
Represented by its Dean,
Tiruchirappalli - 620 001.

... Respondents

PRAYER :-

Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus, to call for the records of the impugned notice passed by the 3rd respondent in Na.Ka.No.727/Thi & Va/2023 dated 08.06.2026, quash the same as arbitrary and illegal and

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consequently direct the 3rd respondent to permit the petitioner to continue to run the students' canteen in K.A.P. Viswanatham Government Medical College, Tiruchirappalli.

For Petitioner : Mr.C.Karthikeyan,

For Respondents : Mr.S.Vashik Ali
Government Standing Counsel

ORDER

The writ petition is filed challenging the impugned order dated 08.06.2026. By the said order, the petitioner, who is the licensee running the canteen in the hospital premises, is required to vacate and hand over possession of the premises within 24 hours of the receipt of the communication.

2. The grievance of the petitioner is that, after ascertaining the necessity, the petitioner was informally permitted to run the canteen, pursuant to which the petitioner has been running the canteen without any blemish whatsoever. Suddenly, the petitioner has now been directed to vacate the premises within 24 hours. As a matter of fact, no opportunity of hearing was granted to the petitioner.



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3. Per contra, the learned Government Standing Counsel would submit that the rules and procedure relating to the licensing of persons to use the hospital premises for running a canteen are laid down in G.O.Ms.No.194, dated 21.06.2022. Without following any of the said provisions, informally and without even a proper license agreement, the petitioner seems to have been permitted to run the canteen. Even then, the petitioner has now completed three years. The authorities state there was an audit objection relating to the procedural lapse. Therefore, the authorities now want to rectify the mistake and auction the said license to run the canteen, and in view thereof, the impugned order was issued.

4. I have considered the rival submissions made on either side and perused the material records of the case.

5. When the rules relating to awarding the license for running a canteen, which is also a public largesse, have been framed by the Government of Tamil Nadu mandating that it should be done by way of an open auction and that the successful bidder alone should be permitted to run

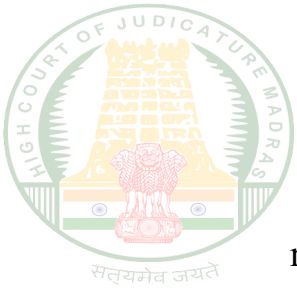


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the canteen, merely because at one point of time, erroneously, the petitioner has been informally permitted to run the canteen, they cannot claim such a right eternally. In any event, when the license has been granted merely on the basis of an affidavit and without mentioning any time limit, and when the same is now sought to be determined on account of a procedural error, the petitioner is entitled to an opportunity of hearing. However, the petitioner cannot claim a right to continue indefinitely.

6. In view thereof, this writ petition is allowed on the following terms:

- i. The impugned order dated 08.06.2026 shall stand quashed;
- ii. The third respondent shall afford an opportunity of hearing to the petitioner by pointing out the audit objection, and after hearing the petitioner and pass an order determining the license from a specified date;
- iii. After such determination, it will be open for the third



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respondent to conduct a public auction with reference to the said facility;

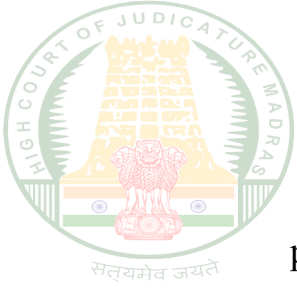
iv. The petitioner will also be entitled to participate in the public auction and, as and when the auction is finalized, the petitioner shall forthwith vacate and hand over possession of the premises;

v. Until then, the petitioner will be permitted to run the canteen;

vi. The aforesaid proceedings shall be completed, as expeditiously as possible, in any event not later than six weeks from the date of receipt of a web copy of this order;

vii. The authorities shall act on the web copy of this order without waiting for a certified copy of the order;

viii. No costs. Consequently, connected miscellaneous



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petitions are closed.

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NCC : Yes/No
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D.BHARATHA CHAKRAVARTHY, J.

sjj

TO

- 1.The Secretary,
State of Tamil Nadu,
Health and Family Welfare Department,
Fort. St. George, Chennai - 600 009.
- 2.The Director of Medical Education,
Office of the Director of Medical Education,
Kilpauk, Chennai - 600 010.
- 3.The Dean,
K.A.P.Viswanatham Government Medical College,
Tiruchirappalli - 620 001.

**ORDER
IN
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