

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 17.02.2015

CORAM

THE HONOURABLE MR. JUSTICE T.S.SIVAGNANAM

W.P. No.10178 of 2014 &
M.P.No. 1 of 2014

K.Karthick

.. Petitioner

Versus

1.The Commissioner
Corporation of Chennai
Rippon Building, Chennai 600 003.

2.The Joint Executive Engineer
Division 53 - Zonal Office
Corporation of Chennai
63, Basin Bridge Salai
Chennai 600 021.

.. Respondents

Writ petition filed under Article 226 of the Constitution of India praying for a writ of mandamus directing the first and second respondents from removing the small bunk shop of the petitioner situate adjacent to No.63, Basin Bridge Salai, Chennai 600 021 without due process of law.

For Petitioner : Mr.S.Venkatesh

For Respondents : Mr.T.C.Gopalakrishnan

O R D E R

Heard Mr.S.Venkatesh, learned counsel for the petitioner and Mr.T.C.Gopalakrishnan, learned counsel appearing for the respondents.

2.The petitioner has come up with the above writ petition for issuance of a writ of mandamus to direct the respondents from removing his small bunk shop situate adjacent to No.63, Basin Bridge Salai, Chennai 600 021 without due process of law.

3.The petitioner claims to be a physically challenged person and he is running a bunk shop in the place mentioned above. However,

according to the petitioner, the officials of the respondents are interfering with his business in running the bunk shop and are trying to evict him. Therefore, the petitioner gave representation to the respondents and thereafter, has come forward with the above writ petition.

4. According to the learned counsel for the respondent Corporation, roads, pathways, etc., vest within the jurisdiction land control of the Corporation.

5. In view of the said submission, without expressing any opinion on the merits of the case, the writ petition is disposed of with a direction to the respondents to consider the representation of the petitioner dated 20.03.2014 on merits and pass appropriate orders thereon in accordance with law, within a period of eight weeks from the date of receipt of a copy of this order. Till then, the petitioner shall not be dispossessed.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

rpa

To

1. The Commissioner
Corporation of Chennai
Rippon Building, Chennai 600 003.

2. The Joint Executive Engineer
Division 53 - Zonal Office
Corporation of Chennai
63, Basin Bridge Salai
Chennai 600 021.

1 cc to Mr. S.Venkatesh ,Advocate, SR.No.8963

1 cc to Mr.T.V.Goplakrishnan ,Advocate, SR.No.8659

W.P. No. 10178 of 2014

mg (co)
pmk.26.2.2015