

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 30.04.2015

CORAM:

THE HONOURABLE MR. JUSTICE M.SATHYANARAYANAN

W.P.Nos.13821 and 13822 of 2015  
and  
M.P.No.1 of 2015

N.Ganesan ... Petitioner in W.P.No.13821 of 2015  
D.Gopal ... Petitioner in W.P.No.13822 of 2015

Vs.

1. The Commissioner,  
Corporation of Chennai,  
Rippon Buildings,  
Chennai-600 003.
2. The State Commissioner for  
Differently Abled,  
O/o. State Commissioner for Differently Abled,  
J.N.Ring Road,  
Chennai-600 078. ... Respondents in both W.Ps.

Prayer: Writ Petitions filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus directing the first respondent to consider and pass orders on the petitioner's representation dated 18.02.2015 and 26.03.2015 respectively for grant of licence/permission for running of the petitioners bunk shop situated at Gandhi Irwin Road, Opposite to Government Avana Kappagam, near Railways Godown, Egmore, Chennai-600008 and Sydenhams Road, Near Kannappar Thidal, Opposite to Indian Timbers, Chennai-600 003 respectively, wherein selling tea and food items and till such time not to disturb the running of the same.

For Petitioner : Mr.T.Muthamilselvi  
For Respondents : Mr.P.V.Selvakumar  
Standing Counsel  
for Chennai Corporation for R1

Mr.R.Govindasamy,  
Additional Govt. Pleader for R2

C O M M O N    O R D E R

By consent, these writ petitions are taken up for final disposal.

2. The petitioners claim that they are physically challenged persons, running small bunk shops at Gandhi Irwin Road, Opposite to Government Avana Kappagam, near Railways Godown, Egmore, Chennai-600008 and Sydenhams Road, Near Kannappar Thidal, Opposite to Indian Timbers, Chennai-600 003 respectively, wherein they are selling tea and food items in an hygienic manner for the past several years. The petitioners submitted a representation to the second respondent praying for licence/permission to continue to run the shops as their possession is sought to be disturbed and since, no response is forthcoming, came forward with these writ petitions.

3. Heard the submissions of Mrs.T.Muthamilselvi, learned counsel appearing for the petitioners and Mr.P.V.Selvakumar, learned Standing Counsel, who accepts notice for the first respondent and Mr.R.Govindasamy, learned Additional Government Pleader, who accepts notice for the second respondent.

4. This Court, without going into the merits of the claim projected by the petitioners, directs the first respondent to dispose of the petitioners' representations dated 18.02.2015 and 26.03.2015 and also further representations, if any, submitted by the petitioners praying for similar relief within a period of eight weeks from the date of receipt of a copy of this order and communicate the decision taken to the petitioners and till such time, the respondents shall maintain Status Quo as exists today. It is made clear that in the interregnum, the petitioners shall not create any third party rights in respect of the shops in question.

5. These Writ Petitions are disposed of accordingly. No costs.

Sd/-

Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

jvm

To

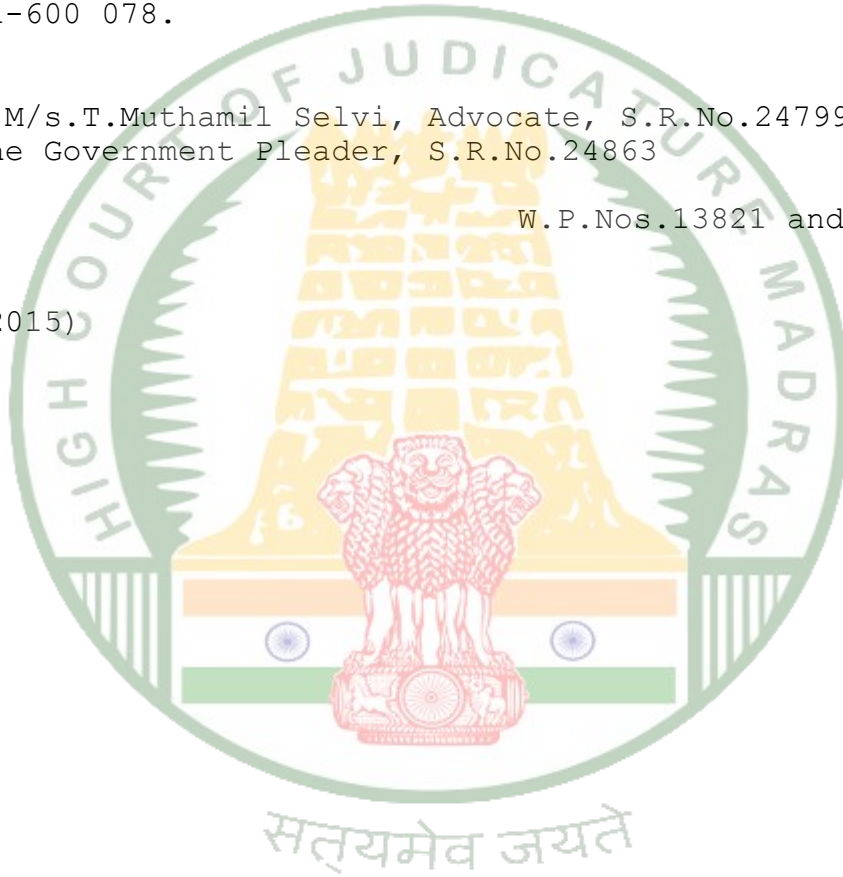
1. The Commissioner,  
Corporation of Chennai,  
Rippon Buildings,  
Chennai-600 003.

2. The State Commissioner for  
Differently Abled,  
O/o. State Commissioner for Differently Abled,  
J.N.Ring Road,  
Chennai-600 078.

+2cc's to M/s.T.Muthamil Selvi, Advocate, S.R.No.24799  
+1cc to the Government Pleader, S.R.No.24863

W.P.Nos.13821 and 13822 of 2015

VD(CO)  
CA(08/05/2015)



WEB COPY