

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 10.07.2015

CORAM:

THE HON'BLE MR.JUSTICE T.RAJA

W.P.No.20627 of 2015

Asrar Ahmed

...Petitioner

Vs.

1. The Commissioner,
Corporation of Chennai,
Rippon Building,
Chennai - 600 003,
2. The Deputy Commissioner (Health),
Corporation of Chennai,
Rippon Building,
Chennai - 600 003,
3. The Inspector of Police,
Law and Order, F-5 Police Station,
Choolaimedu.

...Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India seeking for the relief of issuance of writ of Mandamus to direct the respondents to initiate action on the representation sent by the petitioner dated 29.10.2014 and 7.5.2015 and remove the Tiffin stall run at the footsteps of Alam Centre, No.145, Jawaharlal Nehru Street, 100 feet road, Senthil Nagar, Chennai - 600 094.

For Petitioner : Mr.F.Kamal Baig

For Respondents : Mr.P.V.Selvakumar
for RR.1 and 2
Mr.R.Lakshmi Narayanan,AGP for R.3

ORDER

This writ petition has been filed by the petitioner seeking a limited prayer directing the respondents to initiate action on the basis of the representations sent by the petitioner dated 29.10.2014 and 7.5.2015, wherein, he made a request to remove the unauthorised

Tiffin stall run at the footsteps of Alam Centre, No.145, Jawaharlal Nehru Street, 100 feet road, Senthil Nagar, Chennai - 600 094.

2. Learned counsel Mr.P.V.Selvakumar takes notice for respondents No.1 and 2. Mr.R.Lakshmi Narayanan, learned Additional Government Pleader takes notice for respondent No.3.

3. The grievance of the petitioner is that two persons started selling tiffin items in the handcart, which is totally unauthorised as they have not even obtained any permission, whatsoever, from the Corporation of Chennai. His further grievance is that the persons, who are eating the food items served by the handcart owner, used to pollute the nearby area by leaving the left over items in front of the office and around the office of the petitioner. That apart, they used to litter even the plastic and other items causing so much of nuisance to the occupants of the building and also to the public at large. In this regard, though the petitioner has given a representation dated 8.5.2015 to the respondents, there was no response, therefore, the petitioner has come forward with this writ petition.

4. This Court, without going into the merits of the case, directs the Deputy Commissioner (Health), Corporation of Chennai, Chennai, the 2nd respondent, to consider the representation dated 8.5.2015 made by the petitioner and pass appropriate orders within a period of four weeks from the date of receipt of copy of this order.

5. The writ petition is disposed of accordingly. However, there is no order as to costs.

Sd/-
Assistant Registrar(CS-IV)

//True Copy//

Sub Assistant Registrar

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To

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

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2. The Deputy Commissioner (Health),
Corporation of Chennai,
Ripon Building,
Chennai - 600 003,
3. The Inspector of Police,
Law and Order, F-5 Police Station,
Choolaimedu.

1 CC to Mr.P.V.Selvakumar, Advocate SR.No. 34810

W.P.No.20627 of 2015

BVR (CO)
PSI (22.07.2015)



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