

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 27.07.2015

CORAM

THE HONOURABLE MR.JUSTICE T.RAJA

W.P.No.22533 of 2015

P.Arokiyasamy

...Petitioner

vs.

1. The Special Commissioner for Handicapped,
Office of the State Commissioner of Disabled,
No.15/1, Model School Road,
Thousand Lights, Chennai - 6.
2. The Commissioner,
Corporation of Chennai,
Rippon Buildings, Chennai - 3.
3. The Division Engineer,
Highways and Rural Works Department,
Teynampet, Chennai - 35.
4. The Commissioner of Police,
Vepery, Chennai - 7.

...Respondents

Writ petition filed under Article 226 of the Constitution of India praying for issuance of a writ of mandamus directing the second respondent to dispose of the petitioner's representation dated 10.03.2015 for issuance of licence for running Lakshmanan Tiffin Centre, measurement about 20 x 25 = 500 sq.ft., No.704-a, shed with shutter (super structure) on the line of Redial Road, Near by ETL Company, Pallikaranai, Chennai - 601 302, selling tea, coffee, snacks (foods) in hygienic manner.

For Petitioner : Ms.Mercy Gnanammal

For Respondents : Mr.A.Kumar,
Spl. Govt. Pleader

ORDER

This writ petition has been filed by P.Arokiyasamy, seeking a direction to the second respondent to dispose of the petitioner's representation dated 10.03.2015.

2.The petitioner is a physically handicapped person with 50% disability and he is running a tiffin centre by name Lakshmanan Tiffin Centre at No.704-a, Redial Road, Near by ETL Company, Pallikaranai, Chennai - 601 302. While so, the second respondent is interfering with the running of bunk shop, as though the shop is an unauthorised one. Therefore, the petitioner made a representation dated 10.03.2015 to the second respondent. Since no orders have been passed on the said representation, the petitioner is before this Court with the present writ petition.

3.In similar circumstances, the Hon'ble First Bench has issued direction to the Corporation to allot 5% of the shops for physically challenged persons. Pursuant to the said order, several orders have been passed, directing the Corporation to consider the cases of physically challenged persons in view of Section 43 of the Persons with Disabilities (equal opportunities, Protection of Rights and Full Participation) Act, 1995 .

4.In the light of the above, without going into the merits of the case, this Court directs the second respondent to consider the representation of the petitioner dated 10.03.2015 and pass orders on merits and in accordance with law within a period of four weeks from the date of receipt of a copy of this order. Till such time, status quo as on today shall be maintained.

5.With the above direction, the writ petition is disposed of. No costs.

Sd/-

Assistant Registrar (CS-III)

//True Copy//

Sub Assistant Registrar

mmi

To

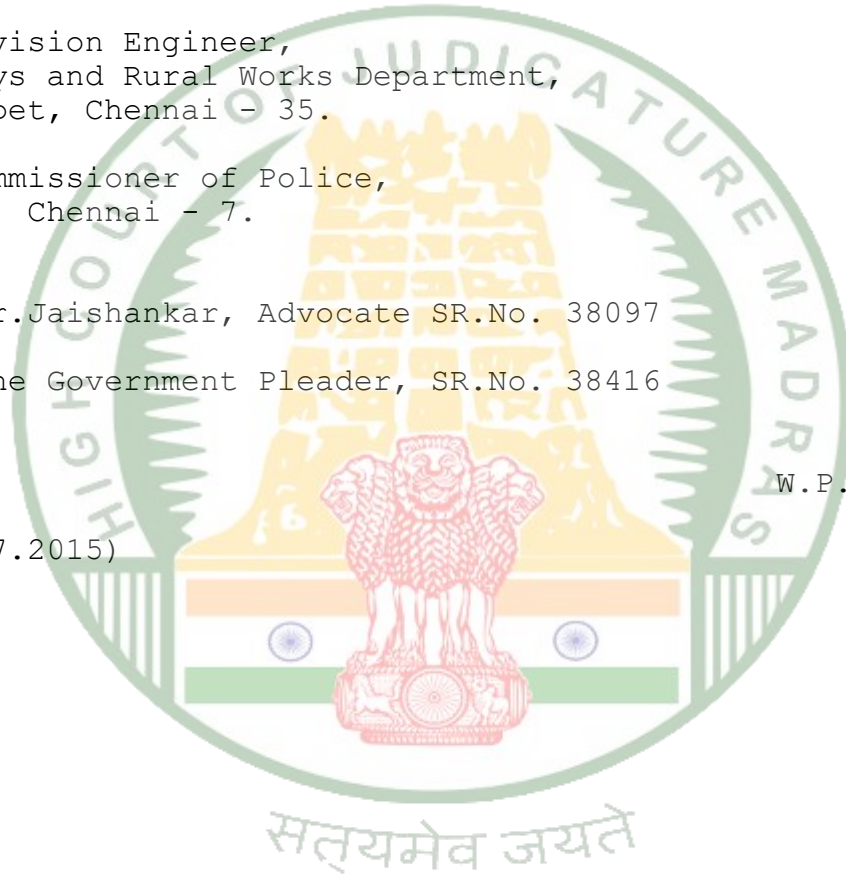
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1 CC to Mr.Jaishankar, Advocate SR.No. 38097

1 CC to the Government Pleader, SR.No. 38416

KM (CO)
PSI (28.07.2015)

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