

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED:04.08.2015

CORAM

The Honourable MR. JUSTICE N.KIRUBAKARAN

W.P.No.23634 of 2015
and M.P.No.1 of 2015

D.Vinodkumar @ D.Vinodprasath
No.23B Venkadeshwara Street
Chelliyamman Nagar Extn
Atthipet, Ambattur, Chennai 58

[Petitioner]

Vs

- 1 The State Commissioner for
Differently Abled
O/o. State Commissioner
for Differently Abled
J.N.Ring Road
Chennai 78
- 2 The Commissioner
Corporation of Chennai Rippon Building
Chennai 3
- 3 The Commissioner
Municipality Office Ambattur Chennai 53
- 4 The Administrative Director
Sidco Small Factory Industrial Estate
Ambattur Chennai 58

[Respondents]

Writ Petition filed under Article 226 of the Constitution of India praying for the issuance of a writ of mandamus directing the 2nd and 3rd respondents to consider and pass orders on the petitioners representation dt 25.3.2015 and 30.6.2015 for grant of licence or permission to start the standard bunk shop at the above said present running push cart shop situated near Pick Fab Engineers Pvt. Ltd. Skyline Foundations No.57 (SP) Ambattur Industrial Estate Chennai 58 wherein selling Coffee Tea and Snacks item.

For Petitioner : Ms.M.Backiyalakshmi

For Respondents : Mr.P.V.Selvakumar, (R2)
Mr.R.M.Muthukumar, GA (R1,3&4)

ORDER

A physically challenged person has approached this Court seeking a writ of mandamus directing the respondents 2 and 3 to consider and pass orders on his representations dated 25.03.2015 and 30.06.2015 for grant of licence or permission to start a bunk shop.

2. The learned counsel for the petitioner would submit that the petitioner had lost his right hand while he was working in a private company and in view of the same, since he cannot continue the job in the said company, he has been doing business in a push cart shop. Since the petitioner is doing the said business in a push cart shop, he seeks permission so that he can erect a standard bunk shop and do the business. The learned counsel for the petitioner also relied upon Section 43 of the Persons with Disabilities (Equal opportunities, Protection of Rights and Full Participation) Act, 1995 to contend that the local authorities or appropriate Government shall have to frame schemes in favour of the persons with disabilities.

3. Heard the learned Government Advocate for respondents 1, 3 and 4 and Mr.P.V.Selvakumar, learned counsel for R2.

4. In view of the limited prayer sought for by the petitioner, without going into the merits of the case, the 2nd respondent is directed to consider the petitioner's representations dated 25.03.2015 and 30.06.2015 and pass orders on merits and as per law, within a period of twelve weeks from the date of receipt of a copy of this order.

The writ petition is disposed of accordingly. No costs. Connected miscellaneous petition is closed.

rg

s/d-

Assistant Registrar(Ad-I)

True Copy

Sub-Assistant Registrar

To

1 The State Commissioner for
Differently Abled
O/o. State Commissioner
for Differently Abled
J.N.Ring Road
Chennai 78

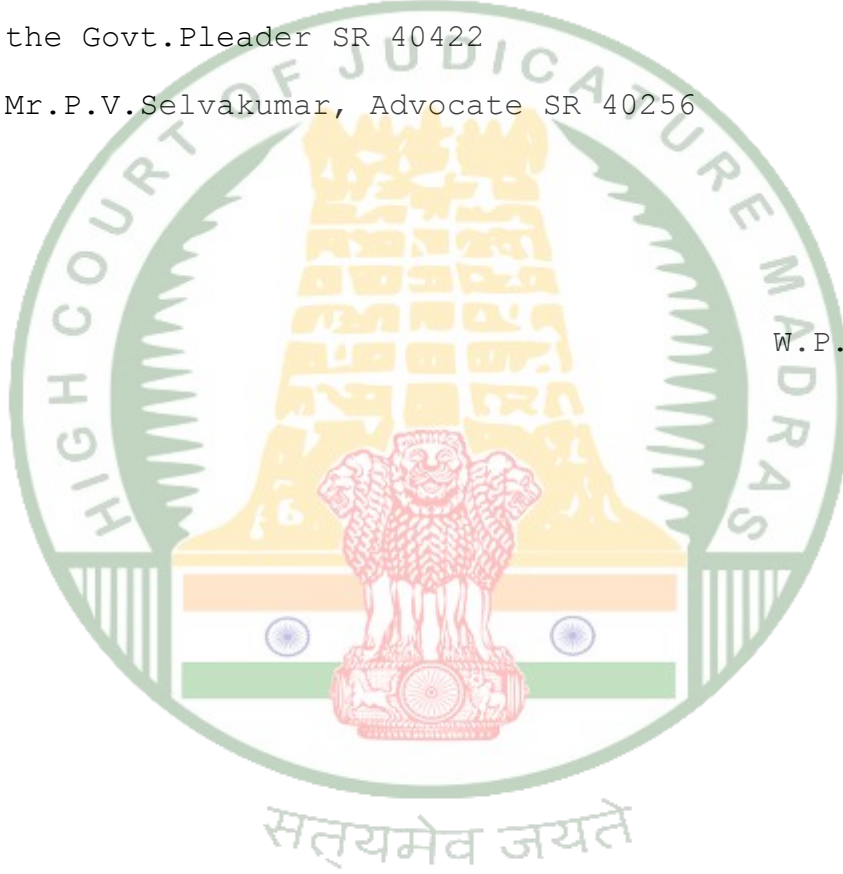
- 2 The Commissioner
Corporation of Chennai Rippon Building
Chennai 3
- 3 The Commissioner
Municipality Office Ambattur Chennai 53
- 4 The Administrative Director
Sidco Small Factory Industrial Ambattur
Estate Chennai 58

+ 1 cc to Ms.M.Backyalakshmi, Advocate SR 40014

+ 1 cc to the Govt.Pleader SR 40422

+ 1 cc to Mr.P.V.Selvakumar, Advocate SR 40256

rj(co)
prk19/8



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