

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 09.02.2015

CORAM

THE HONOURABLE MR.JUSTICE T.S.SIVAGNANAM

WP.No.3154 of 2015 & MP.No.1 of 2015

Ramesh

..Petitioner

Versus

1.The State Commissioner
for Differently Abled,
o/o State Commissioner for differently abled,
No.15/1 Model School Road,
Thousand lights, Chennai- 600 006

2.The Commissioner
Corporation of Chennai
Chennai.

..Respondents

Writ petitions filed under Article 226 of the Constitution of India praying for a writ of mandamus forbearing the 2nd respondent from interfering with the running of the petitioner's shop situated at Pathavi Road, by the side of Raji Buildings Opp., to Private building, continental plaza, mount road, Chennai - 600 006, by selling coffee, tea and other allied items till he is provided with alternate accommodation.

For Petitioner : Ms.Gajalakshmi Rajendran

For R1 : Mr.M.L.Mahendran, GA

For R2 : Mr.P.V.Selvakumar

ORDER

Heard Ms.Gajalakshmi Rajendran, learned counsel for the petitioner and Mr.M.L.Mahendran, learned Government Advocate appearing for the 1st respondent and Mr.P.V.Selvakumar, learned counsel appearing for the 2nd respondent/Corporation.

2.The petitioner seeks a writ of mandamus forbearing the 2nd respondent from interfering with the running of the petitioner's shop situated at Pathavi Road, by the side of Raji Buildings Opp., to Private building, continental plaza, mount road, Chennai - 600 006,

by selling coffee, tea and other allied items till he is provided with alternate accommodation.

3.The petitioner claims to be a physically challenged person. He is running a bunk shop on the line of Pathavi Road, by the side of Raji buildings opp. to private building, Continental plaza, mount road, Chennai - 600 006. However, according to the petitioner, the 2nd respondent and the police officials are interfering with the business in running the petty shop and are trying to evict him. Therefore, the petitioner gave representation to the 1st respondent on 19.08.2014 and thereafter, he has come up with the above writ petition.

4.The authority concerned is the 2nd respondent and not the 1st respondent.

5.Therefore, considering the limited nature of the prayer sought and without expressing any opinion on the merits of the case, the writ petition is disposed of with a direction to the petitioner to send a detailed representation to the 2nd respondent within a period of four weeks from the date of receipt of a copy of this order. On receipt of such representation, the 2nd respondent shall consider the same on merits and in accordance with law and pass appropriate orders thereon, within a period of four weeks thereafter. Till then, the petitioner shall not be dispossessed. No costs. Consequently, the connected miscellaneous petition is closed.

Sd/

Asst. Registrar

/true copy/

Sub Asst. Registrar

ssd

To

1.The State Commissioner
for Differently Abled,
o/o State Commissioner for differently abled,
No.15/1 Model School Road,
Thousand lights, Chennai- 600 006

2.The Commissioner
Corporation of Chennai-3

+ 1 cc to M/s. Ms.Gajalakshmi Rajendran, Advocate sr.no.7407

+ 1 cc to The Government Pleader High Court, Madras-600 104 sr.no.6968

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MP [CO]
RR 21/02/2015



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