

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 14.10.2015

CORAM

THE HONOURABLE MR. JUSTICE N.KIRUBAKARAN

W.P.No.32980 OF 2015

Thangaraj

[PETITIONER]

Vs

- 1 The State Commissioner for
Differently Abled
Office of the State
Commissioner for Differently Abled
J.N.Ring Road, Chennai-78.
- 2 The Commissioner
Corporation of Chennai
Rippon Building, Chennai-3.
- 3 The Inspector of Police
Kodungaiyur Police Station.
- 4 Bhavani

[RESPONDENTS]

Writ petition is filed under Article 226 of the Constitution of India praying for a writ of mandamus to direct the second Respondent to consider and dispose of the representation dated 28.09.2015 and consequently direct the second Respondent to issue licence to the Petitioner for flower garlands business and to forbear the fourth respondent from opening the flower gardening shop adjacent to the Petitioner place or business.

For Petitioner : Mr.K.Thirunavukarasu

For Respondents : Mrs.M.E.Rani Selvam - R1 & R3
Mr.P.V.Selvakumar -R2

O R D E R

With the consent of the learned counsel appearing on either side, the Writ Petition is taken up for final disposal at the admission stage itself.

2.The petitioner is seeking for allotment of a Bunk Shop at Gate No.5, Simpson Company Private Limited, Opposite to Vijayasanthi Builders, Madhavaram High Road, by considering the representation submitted by him dated 28.09.2015 and to forbear the fourth respondent from opening the flower gardening shop adjacent to the Petitioner place or business. It is stated that the petitioner is without job and therefore he seeks for allotment of Bunk Shop in the aforesaid place.

3.Heard Mr.K.Thirunavukarasu, learned counsel appearing for the petitioner, Mrs.M.E.Rani Selvam, learned Additional Government Pleader appearing for respondents 1 & 3 and Mr. P.V.Selvakumar, learned counsel appearing for the second respondent. Since no adverse order is passed against the fourth respondent, notice to the fourth respondent is dispensed with.

4.Any attempt for putting up Bunk Shop either in the pavement or on the road side is against public interest and would affect the movement of the vehicles and general public. If public interest is affected because of the said allotment, the respondent Corporation should not give such allotment. It is seen that now a days Writ Petitions are being filed, seeking permission for putting up of Bunk Shops, in the form of issuance of a writ of mandamus to consider the representation and such prayers are also usually granted, affecting the general public at large. Therefore, granting of any permission to put up Bunk Shop is against the public interest and therefore, such a direction sought for by the petitioner could not be granted.

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Accordingly, the Writ Petition stands dismissed at the admission stage itself. No costs.

Sd/-
Assistant Registrar

True Copy

Sub Assistant Registrar

To

- 1 The State Commissioner for
Differently Abled
Office of the State
Commissioner for Differently Abled
J.N.Ring Road, Chennai-78.
- 2 The Commissioner
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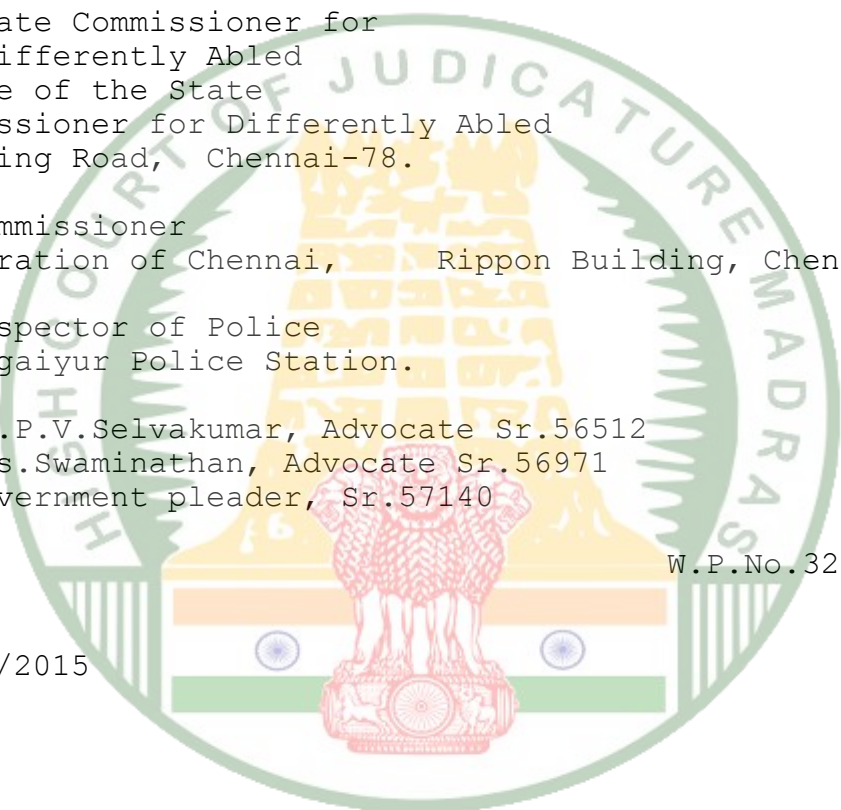
+1cc to Mr.P.V.Selvakumar, Advocate Sr.56512

+1cc to M/s.Swaminathan, Advocate Sr.56971

+1cc to Government pleader, Sr.57140

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kk[co]
srg 3/11/2015



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