

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.06.2016

CORAM

THE HONOURABLE MR. JUSTICE N. KIRUBAKARAN

W.P. No. 20055 of 2014

T. Bhuvanesh

..Petitioner

Vs.

The Commissioner,
Chennai Corporation,
Chennai.

..Respondent

Prayer: Petition under Article 226 of the Constitution of India praying for issue of a Writ of Mandamus directing the respondent to dispose of the petitioner's representation dated 14.06.2014 for issuance of Licence Running Bunk Shop at Gopalasamy Street, Venkatswara Nagar, near Ambattur Sub Registrar Office, Ambattur, Chennai - 53.

For Petitioner :: Mr.D. Bharathy
- No appearance

For Respondent :: Mr.P.V. Selvakumar

O R D E R

Though the matter has been posted under the caption "For Dismissal", there is no appearance on behalf of the petitioner. Perhaps, foreseeing the fate of the case, the petitioner has not come before this Court.

2. The prayer in the writ petition is for issuance of a Writ of Mandamus directing the respondent to dispose of the petitioner's representation dated 14.06.2014 for issuance of licence for running bunk shop at Gopalasamy Street, Venkatswara Nagar, near Ambattur Sub Registrar Office, Ambattur, Chennai - 53.

3. The petitioner claims to be a physically handicapped person and he seems to have installed a bunk shop at Gopalasamy Street, Venkatswara Nagar, near Ambattur Sub Registrar Office, Ambattur, Chennai - 53, wherein he is running a mobile shop business. Since the respondent tried to interfere with the petitioner's business, the petitioner gave a representation on

14.06.2014 to the respondent, not to disturb his peaceful possession. However, no orders were passed on the same. Hence, the petitioner filed the present writ petition.

4. A perusal of the records would reveal that except a document to show that the petitioner is a physically handicapped person, there is nothing to show that he is carrying on business in the said place. It has become a usual practice for some persons, who are physically handicapped, to earn the sympathy of this Court and get favourable orders and thereafter, try to establish a bunk shop near important junctions or landmarks in the city, where they could do good business. Having a bunk shop, either on road margins or on platforms, would cause great hindrance to free flow of traffic as well as for free movement of pedestrians. If any permission is granted, as sought by the petitioner, then it would definitely go against public interest. This writ petition, therefore, deserves to be dismissed and it is accordingly dismissed. It is made clear that this order has been passed, after going through the records, on merits and it is not a simple dismissal. No costs.

Sd/-
Assistant Registrar(V)

//True Copy//

Sub Assistant Registrar

nv

To

The Commissioner,
Chennai Corporation,
Chennai.

सत्यमेव जयते

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MSM(CO)
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