

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 04.04.2016

Coram

The Hon'ble Mr. Justice T.S. Sivagnanam

Writ Petition No.12623 of 2016

and

W.M.P.No.10890 of 2016

Arulprakash

...Petitioner

Vs

The Commissioner,
Corporation of Greater Chennai,
Ribbon Building, Chennai - 600 003

...Respondent

Writ Petition filed under Article 226 of the Constitution of India, for issuance of Writ of Mandamus, directing the respondent to grant licence to run a petty shop at No.2, Taluk Office Road, Saidapet (Chinna Malai).

For Petitioner : Mr.V.S.Mannarasam
For Respondent : Mr.P.V.Selvakumar
Standing Counsel

O R D E R

Heard Mr.V.S.Mannarasam, the learned counsel appearing for the petitioner and Mr.P.V.Selvakumar, the learned Standing Counsel for Corporation of Chennai, who accepts notice for the respondent. With the consent of parties, the main Writ Petition is taken up for final disposal at the stage of admission.

2. The petitioner is a physically challenged person, and he is seeking for a positive direction to permit him to put up a Kiosk, at No.2, Taluk Office Road, Saidapet (Little Mount).

3. Though this Court has sympathized for the petitioner, who is a physically challenged person, no positive direction, as sought for by him, can be issued to locate the shop in a road margin, or near a road, or kerb. Therefore, the Writ Petition has to be necessarily rejected. Accordingly, the prayer sought for in the Writ Petition is rejected, however, this order will not prevent the petitioner from approaching the competent authority of Corporation of Chennai, for allotting a shop in any one of their complex, which shall be considered by the Corporation of Chennai, on humanitarian basis, as the petitioner

is a physically challenged person.

4. With the above observation, the Writ Petition is dismissed. No costs. Consequently, connected Miscellaneous Petition is closed.

-s/d-
Assistant Registrar

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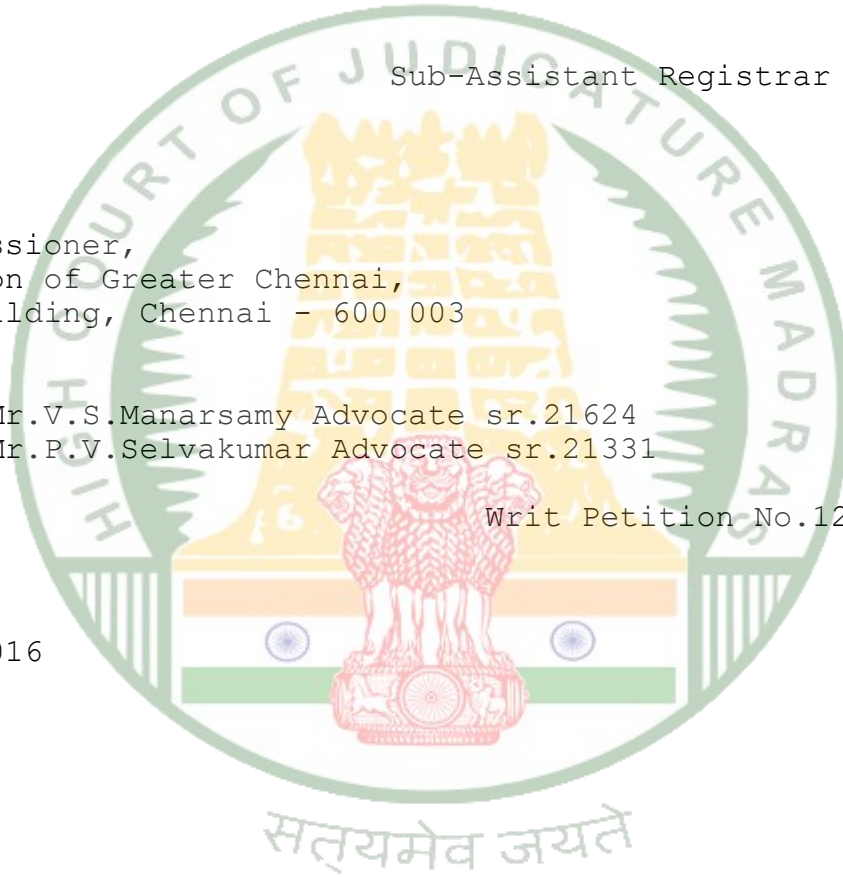
Sub-Assistant Registrar

sd
To
The Commissioner,
Corporation of Greater Chennai,
Ribbon Building, Chennai - 600 003

+1 cc to Mr.V.S.Manarsamy Advocate sr.21624
+1 cc to Mr.P.V.Selvakumar Advocate sr.21331

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