

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 15.04.2016

CORAM

THE HONOURABLE MR.JUSTICE T.S.SIVAGNANAM

W.P.No.14070 of 2016

And

W.M.P.No.12290 of 2016

S.Perumal

... Petitioner

Vs.

The Commissioner,
Corporation of Chennai,
Rippon Buildings,
Chennai - 600 003.

... Respondent

Prayer:

Petition filed under section 226 of the Constitution of India to issue a Writ of Mandamus directing the Respondent to direct his officials not to disturb the petitioner from running his Tea Stall Bunk in the name and style of Abitha Tea Stall Bunk situated at Demontee Colony, Near Kalaingar Park, Ward No.123, Chennai-600 018 without due process of law.

For Petitioner : M/s.Greetha Senthilkumar
For Respondent : Mr.P.V.Selvakumar

O R D E R

Heard the learned counsel appearing for the petitioner as well as the learned counsel appearing for the respondent.

2.The petitioner has filed this Writ Petition seeking for a direction upon the respondent to direct his officials not to disturb the petitioner from running his Tea Stall Bunk in the name and style of Abitha Tea Stall Bunk situated at Demontee Colony, Near Kalaingar Park, Ward No.123, Chennai-600 018 without due process of law.

3.The petitioner is a old handicap person and he has been assessed at 70% disability. It is the case of the petitioner that he is the only bread winner of the family and the tea stall is the only source of his income. It is the further case of the petitioner that he has been issued licence to run the tea stall bunk at the said place by the Tamil Nadu Food Safety and Drug Administration Department, but the respondent authorities are

insisting him to remove the tea stall stating that it is causing disturbance to the public. The petitioner in this regard, submitted a representation to the respondent on 23.02.2016 and since it has not been considered so far, has come forward with this writ petition.

4.The learned counsel appearing for the respondent Corporation submitted that a direction may be issued to the respondent to consider the petitioner's representation in accordance with law.

5.In the light of the above, the respondent is directed to consider the petitioner's representation dated 23.02.2016, and pass appropriate orders on merits and in accordance with law, within a period of four weeks weeks from the date of receipt of a copy of this order.

6.The writ petition is disposed of with the above observation. No costs. Consequently, the connected miscellaneous petition is closed.

s/d-
Assistant Registrar(CO)

True Copy

Sub-Assistant Registrar

To

The Commissioner,
Corporation of Chennai,
Rippon Buildings,
Chennai - 600 003.

+ 1 cc to M/s.Greetha Senthilkumar, Advocate, SR 24257

+ 1 cc to Mr.P.V.Selvakumar, Advocate, SR 23698

scd(co)
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