

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 12.05.2016

CORAM

THE HONOURABLE MR. JUSTICE N.KIRUBAKARAN

W.P.No.17416 of 2016 &
WMP No.14886 of 2016

A.Sardarkhan

[PETITIONER]

Vs

1.The Commissioner
Corporation of Chennai
Rippon Building, Chennai 600 003.

2.The Commissioner of Police
E.V.R.High Road,
Chennai 600 007.

[RESPONDENTS]

Writ petition is filed under Article 226 of the Constitution of India praying for a writ of mandamus to direct the first respondent to dispose of the petitioner representation dated 01.04.2016, consequently forbearing the respondents, or their men, agents, servants or anybody claiming through them from running peaceful business of the petitioner's Bunk Shop at No.24A/16, Montieth Lane, Egmore, Chennai 600 008.

For Petitioner : Mr.B.Manimaran

For Respondents : Mr.P.V.Selvakumar
Standing Counsel

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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.In this Writ Petition, the petitioner seeks for issuance of writ of mandamus by directing the first respondent to dispose of the petitioner representation dated 01.04.2016, consequently forbearing the respondents, or their men, agents, servants or

anybody claiming through them from running peaceful business of the petitioner's Bunk Shop at No.24A/16, Montieth Lane, Egmore, Chennai 600 008.

3.Heard Mr.B.Manimaran, learned counsel appearing for the petitioner and Mr.P.V.Selvakumar, learned Standing Counsel appearing for the respondents and perused the materials placed on record.

4.When a query is made to the petitioner to show the proof for running the shop in the aforesaid address, he is unable to answer and from a perusal of the typed set of papers, nothing has been enclosed regarding the location of the shop or running of the shop. This shows that persons claiming to be themselves as physically handicapped, winning sympathy from this Court and after getting orders putting the Bunk Shops that too in important places, affecting traffic. This needs to be curtailed with iron hand. If such a practice is not controlled, the same would affect the general public and also the free flow of traffic. The present Writ Petition is nothing but abuse of process of law and to mislead this Court to get an order with mala fide motive. Though the Writ Petition is liable to be dismissed with heavy cost, taking into consideration of the fact that the petitioner is alleged to be the physically handicapped person, no cost is awarded.

Accordingly, the Writ Petition is dismissed. No costs. Consequently, connected Miscellaneous Petition is closed.
rpa

-s/d-

Assistant Registrar (CS-IV)

True Copy

Sub-Assistant Registrar

To

1.The Commissioner
Corporation of Chennai
Rippon Building, Chennai 600 003.

2.The Commissioner of Police
E.V.R.High Road,
Chennai 600 007.

+ 1 cc to M/s.P.V.Selvakumar, Advocate SR 28379

ppa (co)
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