

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED:14.07.2016

CORAM

The Honourable MR. JUSTICE N.KIRUBAKARAN

W.P.No.24098 of 2016

C.Jayakumar

[Petitioner]

Vs

1 The Commissioner
Corporation of Chennai Chennai.

2 The Assistant Commissioner
Corporation of Chennai
Ambattur Zone-7
Ambattur Chennai-53.

[Respondents]

Writ Petition filed under Article 226 of the Constitution of India praying for the issuance of a writ of mandamus to direct the respondents to consider the representation of the petitioner dated 22.06.2016 for allotment of bunk shop to the petitioner in any place nearby the petitioners residence to eke out the petitioners livelihood.

For Petitioner : Mr.N.Suresh

For Respondents: Mr.P.V.Selvakumar

ORDER

Mr.P.V.Selvakumar, learned counsel takes notice for the respondents.

2. The petitioner, alleges to be a physically handicapped person, has come before this Court, seeking a writ of mandamus directing the respondents to dispose of his representation dated 22.06.2016, seeking allotment of bunk shop to him.

3. Heard the learned counsel for the petitioner and Mr.P.V.Selvakumar, learned counsel for the respondents.

4. There is no dispute with regard to the status of the petitioner that he is a physically handicapped person, as it is proved by documents. However, it will not entitle him to apply to the respondents to allot a Bunk Shop in any place. If a public place is to be allotted to a Bunk Shop, the same will be done by making suitable advertisements and if there is any provision for allotting the same to Physically handicapped

persons, the same will be done. Most of the persons who are approaching this Court claiming themselves to be physically handicapped persons are choosing very important places viz., Shopping Malls, Government Companies, Industries and invariably they seek for road margins and platforms for allotment of shops. Road margins and Plat Forms are meant for Pedestrians. However, Pedestrians are not allowed to use the platforms and in view of the same, naturally, they are constrained to use the road, resulting in affecting the traffic flow and also causing accidents.

5. In view of the above and in view of the fact that since no statutory right is available to the petitioner to seek a writ of mandamus to allot the Bunk Shop, the writ petition fails and the same is dismissed. No costs.

Sd/-
Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

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To

- 1 The Commissioner
Corporation of Chennai Chennai.
- 2 The Assistant Commissioner
Corporation of Chennai Ambattur Zone-7
Ambattur Chennai-53.

+1cc to Mr.N. Suresh, Advocate, S.R.No.39777
+1cc to Mr.P.. Selvakumar, Advocate, S.R.No.39476

NRJK(CO)
EU(04/08/2016)

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