

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 21-07-2016

CORAM

THE HONOURABLE MR. JUSTICE N.KIRUBAKARAN

WRIT PETITION No.24164 of 2016

and

WMP No.20675 of 2016

V.E.Padmanabhan

.. Petitioner

Vs.

1.The State Commissioner for differently Abled
O/o.State Commissioner for differently Abled,
J.N.Ring Road,
Chennai-600 078.

2.The Secretary to Government,
Local Administration Department,
Government of Tamil Nadu,
Fort St. George,
Chennai-600 009.

3.The Commissioner,
Corporation of Chennai,
Ripon Building,
Chennai-600 003.

.. Respondents

Writ Petition is filed under Article 226 of Constitution of India praying for the issuance of a Writ of Mandamus, directing the respondents to dispose of the petitioner's representation dated 24.6.2016 requesting to grant license or permission to run the Bunk Shop at Ethiraj Road, in front of the property bearing Door No.53, Velington Estate Building, Egmore, Chennai and till such time forbearing the respondents their men, agents, servants, representative and subordinates from dispossessing or interfering the petitioner's peaceful business in the said Bunk Shop.

For Petitioner : Mrs.Jayakartha for
Mr.K.Kannan.

For Respondent : Mrs.P.Kavitha,
Government Advocate.

For Respondent-2: Mr.V.Jayaprakash Narayanan,
Special Government Pleader.

For Respondent-3: Mr.P.V.Selvakumar.

O R D E R

The petitioner, who is claimed to be physically handicapped person, has approached this Court, seeking a direction to dispose of his representation dated 24.6.2016 which was given seeking license to run a Bunk Shop at Ethiraj Road in front of Velington Estate Building Egmore, Chennai.

2. The case of the petitioner is that he is a physically challenged person and he is running a Bunk Shop in front of Velington Estate Building Egmore, Chennai, for the past 1-1/2 years and he has been running the business without any disturbance. However, the respondents 2 and 3 are making attempt to vacate the petitioner. Therefore, the petitioner gave a representation on 24.6.2016, seeking license to run the Bunk Shop.

3. Heard Mrs.K.Jayakartha, learned counsel appearing for the petitioner, Mrs.P.Kavitha, learned Government Advocate, appearing for the first respondent, Mr.V.Jayaprakash Narayanan, learned Special Government Pleader takes notice on behalf of the second respondent and Mr.P.V.Selvakumar, learned counsel appearing for the third respondent.

4. The place regarding which the petitioner sought permission is a platform which is only meant for pedestrians and not for Bunk Shops. If the roads, road margins and platforms are to be encroached upon, the flow of traffic will be affected and people will be constrained to walk on the road, resulting in accidents. It will go against the public interest and therefore, giving direction to grant any permission to run the Bunk Shop, either on the road margin or on the platform, does not arise and

it deserves to be dismissed. Accordingly, this writ petition is dismissed. No costs. Consequently, connected miscellaneous petition is also dismissed.

Sd/-
Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

To

- 1.The State Commissioner for differently Abled
O/o.State Commissioner for differently Abled,
J.N.Ring Road,
Chennai-600 078.
- 2.The Secretary to Government,
Local Administration Department,
Government of Tamil Nadu,
Fort St. George,
Chennai-600 009.
- 3.The Commissioner,
Corporation of Chennai,
Ripon Building,
Chennai-600 003.

+1CC to Mr.P.V.Selvakumar, Advocate sr.41982
+1cc to Mr.K.Kannan, Advocate Sr.41387

सत्यमेव जयते

WP No.24164 of 2016

gj II[col]
srg 10/09/2016

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