

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 19.07.2016

CORAM:

THE HONOURABLE MR.JUSTICE N.KIRUBAKARAN

W.P. Nos.24819 & 24820 of 2016

C.Hari Prasath ... Petitioner in WP No.24819
of 2016

S.Malarvizhi ... Petitioner in WP No.24820
of 2016

Vs.

1. The State Commissioner for Differently Abled,
O/o The State Commissioner for
Differently Abled, J.N.Ring Road
Chennai - 600 078.
2. The Commissioner,
Corporation of Chennai
Rippon Buildings,
Chennai-600 003.
3. The Commissioner of Police
Veppery,
Chennai-600 007. Respondents in both WPs

Prayer in WP No.24819/2016 : Writ petition filed under Article 226 of the Constitution of India for issue of writ of mandamus directing the 2nd Respondent to issue license to the petitioners' bunk shop at Guindy, Sidco Industrial Estate, (Opposite to J-3, Guindy Police Station) Chennai-600 032 wherein selling tea coffee and allied food items pursuant to the representation dated 06.06.2016.

Prayer in WP No.24820/2016 : Writ petition filed under Article 226 of the Constitution of India for issue of writ of mandamus directing the 2nd Respondent to issue license to run bunk shop at Jawaharlal Nehru Salai (Near Metro Water Compound-Hotel Anantham), Koyambedu, Chennai - 600 107 wherein selling tea coffee and allied foods pursuant to the representation dated 06.06.2016.

For Petitioners: Mr.R.Karthick Sevugapperumal

For R-1 : Ms.T.Girija, Govt. Advocate

For R-2 : Mr.P.V.Selvakumar

For R-3 : Mr.V.Jayaprakash Narayanan,
Special Govt. Pleader

COMMON ORDER

The petitioners are stated to be physically handicapped (differently abled) persons and they seek a direction to the second respondent to issue license to them to put up bunk shops at Guindy, Sidco Industrial Estate, (Opposite to J-3, Guindy Police Station) Chennai - 600 032 and Jawaharlal Nehru Salai (Near Metro Water Compound-Hotel Anantham), Koyambedu, Chennai - 600 107 respectively.

2. Heard Mr.Karthik Sevugapperumal, learned counsel appearing for the petitioners, Ms.T.Girija, learned Government Advocate appearing for the first respondent, Mr.P.V.Selvakumar, learned counsel appearing for the second respondent and Mr.V.Jayaprakash Narayanan, learned counsel appearing for the third respondent.

3. It is seen that the petitioners are seeking important places to put up bunk shops. Though it is stated that they have been running the bunk shops for the past two years, no materials have been placed to show that they are running the said bunk shops. Even assuming that the petitioners have been running the bunk shops, it is only in the platforms and they cannot have any right either to run the business in the platforms or margin of the road or on the road or cannot ask for any direction to the second respondent to issue license to start a new business in the above place.

4. Platforms are meant only for pedestrians and the roads are meant for traffic. If the bunk shops are allowed to be occupied in the platforms, the pedestrians will be compelled to use the road, resulting in affecting of traffic flow and also causing of accidents. It would go only against the public interest and therefore the prayer sought for by the petitioners cannot be granted. The writ petitions fail.

5. In the result, both these writ petitions are dismissed. No costs.

Sd/-
Assistant Registrar(CCC)

//True Copy//

Sub Assistant Registrar

rgr

To

1. The State Commissioner for Differently Abled,
O/o The State Commissioner for
Differently Abled, J.N.Ring Road
Chennai - 600 078.
2. The Commissioner,
Corporation of Chennai
Rippon Buildings,
Chennai-600 003.
3. The Commissioner of Police
Veppery,
Chennai-600 007

- 1 cc to Mr.R.Karthik Sevugapperumal, Advocate, sr.41489
1 cc to Mr.P.V.Selvakumar, Advocate, sr.41215
1 cc to Government Pleader, sr.40840

W.P. Nos.24819 & 24820 of 2016

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kra 04.08.2016

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