

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27.09.2016

CORAM

THE HONOURABLE MR.JUSTICE N.KIRUBAKARAN

W.P.No.33968 of 2016

R.Kothandapani

... 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 Chief Engineer,
National Highways Department,
St.Thomas Mount,
Chennai-600 016.

3. The President,
Ayapakkam Panchayat,
Villivakkam Panchayat Union,
Thiruvallur District,
Chennai-600 077.

4. The Commissioner,
Civil Supplies,
Food and Consumer Protection,
Ezhilagam, Chepauk,
Chennai-600 005.

... Respondents

Writ petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus or any other appropriate Writ or order or direction in the nature of writ directing the respondents to consider and pass orders on the petitioner's representation dated 29.09.2015 for grant of licence/permission for running bunk shop near 2nd Main Road, TNHB Ayyapakkam, Chennai-600 077 at 4th Main Road, Thiruvallur District, for selling Tea, Coffee and Food items.

For Petitioner : M/s.K.Akhilandeswari
For Respondents : Mr.P.V.Selvakumar
Addl. Govt. Pleader

O R D E R

The petitioner is stated to be a disabled person and if his contention is to be accepted, it will create more others to become disabled because he seeks for a permission to run a bunk shop in

the road margin or platform. If the road margin is occupied for running a bunk shop, naturally traffic will be affected and accidents are bound to occur and many people are bound to become disabled due to the accidents. The road is meant for traffic and the platforms are meant for pedestrians.

2. If the petitioner's contention is to be accepted, it will go against the public interest. Therefore, the petitioner's prayer seeking to consider his representation dated 29.09.2015 for grant of license / permission to run a bunk shop near 2nd Main Road, TNHB, Ayyappakam, Chennai - 600 077 is rejected. No statutory right is available to the petitioner to maintain the writ petition which is essential for maintaining writ of mandamus.

3. In the result, this writ petition is dismissed. No costs.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

kp/rgr
To

1. The State Commissioner for differently Abled
O/o. State Commissioner for differently Abled
J.N.Ring Road, Chennai-600 078.
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Food and Consumer Protection,
Ezhilagam, Chepauk,
Chennai-600 005.

+1cc to Mr.K.Akhilandeswari , Advocate, S.R.No.55839
+1cc to the Government Pleader, S.R.No.55839

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nr(co)

pnk 22.10.2016

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