

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 04.10.2016

CORAM:

THE HON'BLE MR.JUSTICE B.RAJENDRAN

W.P.No.35050 of 2016
and
W.M.P.No.30217 of 2016

K.Mariya

... Petitioner

Versus

1. The Assistant Divisional Engineer,
Highways Department,
Chennai Circle,
Saidapet, Chennai - 15.
 2. The Executive Engineer-5,
Zone-5, Greater Chennai Corporation,
No.61, Basin Bridge Road,
Chennai - 21.
 3. The Dean,
Rajiv Gandhi General Hospital,
Chennai - 600 009.
- ... Respondents

Writ petition filed under Article 226 of the Constitution of India, praying for the issuance of a writ of mandamus, to direct the first respondent to pass orders on the recommendation made by the 2nd respondent in his proceedings No.M.A.5 Na.Ka.No./Special/2016 dated 01.06.2016 along with the petitioner's representation dated 01.07.2016 and permit the petitioner to install a small movable bunk stall outside the Rajiv Gandhi Hospital situated at Poonamallee Highways Road.

For Petitioner : Mr.S.Venkatesh
For Respondents: Mr.S.V.Durai Solaimalai,
Additional Govt. Pleader

ORDER

The petitioner, who is a physically handicapped person, seeks for a direction to the respondents to permit her to install a small movable bunk stall at the entrance of the Rajiv Gandhi Government Hospital. As the representation of the petitioner has not been considered, she is before this Court with this writ petition.

I heard the counsel for both sides. It is brought to the notice of this Court by the learned Additional Government Pleader that as per the Orders of the Government, permission cannot be granted to erect or install a bunk stall inside the Hospital. It is also brought to the notice of this Court that there is a Committee, which is constituted for regulation of bunk stalls in public place. If the petitioner approaches the appropriate committee, her claim will be considered on merits.

In the light of the above submission of the learned Additional Government Pleader, it is always open to the petitioner to approach the committee and this Court cannot issue any direction to the respondents to consider the claim of the petitioner for installation of a bunk shop. Therefore, this writ petition is dismissed. It is made clear that dismissal of this writ petition will not be a bar for the petitioner to approach the committee seeking permission to install a bunk stall in any public place. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar(CS II)

//True Copy//

Sub Assistant Registrar

To

1. The Assistant Divisional Engineer,
Highways Department,
Chennai Circle,
Saidapet, Chennai - 15.
2. The Executive Engineer-5,
Zone-5, Greater Chennai Corporation,
No.61, Basin Bridge Road,
Chennai - 21.
3. The Dean,
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+1cc to the Government Pleader Sr.57218

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srg 12/11/2016