

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 01.02.2016

Coram

The Hon'ble Mr. Justice T.S. Sivagnanam

Writ Petition No. 3645 of 2016

and

W.M.P.No. 3004 of 2016

Ramesh

...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 - 600009.
3. The Commissioner,,
Corporation of Chennai,
Rippon Buildings,
Chennai - 600003.

...Respondents

Writ Petition filed under Article 226 of the Constitution of India, for issuance of Writ of Mandamus, directing the third respondent to consider the petitioner's representation, dated 04.01.2016, for grant of licence/permission to run the bunk shop and pass orders and to forbear the third respondent, their officials, servants from in any manner, interfering with the running of the petitioner's bunk shop at Abhiramapuram Fourth Street, Opposite to Royal Furniture, Demonte Colony, TTK Road, Chennai 600 028, wherein, the petitioner is selling tea, coffee, food and other snacks item.

For Petitioner : Mr.R.Kamaraaj
For Respondent-1 & 2 : Mr.R.Rajeswaran
Special Government Pleader
For Respondent-3 : Mr.P.V.Selvakumar
Standing Counsel

O R D E R

The petitioner has filed this Writ Petition, seeking for a issuance of a Writ of Mandamus, directing the third respondent/Commissioner, Corporation of Chennai, to consider the petitioner's representation, dated 04.01.2016, made for grant of licence/permission to run the bunk shop, and also to forbear the third respondent and his officials from in any manner interfering with the running of the bunk shop.

2. The learned counsel appearing for the petitioner has submitted that, seeking for the very same relief, one Sasikala, filed W.P.No.19971 of 2012, wherein, this Court, on the basis of submission, made by the learned counsel appearing for the second respondent/Commissioner Corporation of Chennai, that the second respondent would consider the representation of the petitioner/Sasikala, in the light of the judgment passed by the First Bench of this Court, in W.P.Nos.18677 of 2014, 14815 of 2013, etc., (batch), dated 03.09.2015, closed the Writ Petition, by order, dated 13.10.2015, as no further orders are necessary, a copy of which is enclosed at page No.1 of the typed-set of papers for reference of this Court. Therefore, the learned counsel for the petitioner herein submitted that following the said order, dated 13.10.2015, passed in W.P.No.19971 of 2012, the present Writ Petition may be disposed of, by directing the third respondent/Commissioner, Corporation of Chennai, to consider and dispose of the petitioner's representation, in the light of the judgment of the Hon'ble First Bench, dated 03.09.2015, within the time, that may be stipulated by this Court.

3. Heard Mr.R.Rajeswaran, the learned Special Government Pleader, who accepts notice on behalf of first and second respondents and Mr.P.V.Selvakumar, learned Standing Counsel, who accepts notice for the third respondent.

4. In the light of the earlier order, dated 13.10.2015, passed in W.P.No.19971 of 2012, the present Writ Petition is disposed of, by directing the third respondent/Commissioner, Corporation of Chennai, to consider and dispose of the petitioner's representation, dated 04.01.2016, by taking into consideration the judgment passed by the First Bench of this Court, in W.P.Nos.14815 of 2013, 18677 of 2014, etc., (batch),

dated 03.09.2015, within a period of six weeks from the date of receipt of a copy of this order.

5. With the above direction, the Writ Petition is disposed of. No costs. Consequently, connected Miscellaneous Petition is closed.

-s/d-
Assistant Registrar

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 - 600009.
3. The Commissioner,,
Corporation of Chennai,
Rippon Buildings,
Chennai - 600003.

+1 cc to Mr.P.V.Selvakumar Advocate sr.6296
+1 cc to Mr.R.Kamaraj Advocate sr.6349
+1 cc to Government Pleader sr.6533

Writ Petition No.3645 of 2016

aa17/02/2016

WEB COPY