

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 10.11.2016

CORAM:

THE HONOURABLE MR.JUSTICE N.KIRUBAKARAN

W.P. No.39370 of 2016
and WMP No.33687 of 2016

N.Mansoor Ahamed

... 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,
Chennai - 600 009.

3.The Commissioner,
Corporation of Chennai,
Rippon Buildings,
Chennai - 600 003.

...

Respondents

PRAYER : Writ petition filed under Article 226 of the
Constitution of India for issue of writ of mandamus forbearing
the 3rd respondent, their officials, servants from in any manner
interfering with the running of the petitioner's bunk shop near
BSNL Building, No.16/1, Greaves Road, Opposite to Prestige
Company, Chennai - 600 006 by selling tea, coffee and other food
items, till the Township Vending Committee decided as per the
provisions of the Street Vendors (Protection of Livelihood
Regulation) Act .

For Petitioner : Mr.R.Raja

For R1 & R2 : Mr.M.Elumalai,
Govt. Advocate

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

O R D E R

The petitioner is stated to be a physically challenged person and had put up a bunk shop near BSNL Building, No.16/1, Greams Road, Opposite to Prestige Company, Chennai - 600 007 by selling tea, coffee and other food items. Since the petitioner is the breadwinner of the family and a physically handicapped person, he seeks for a writ of mandamus prohibiting the respondents from disturbing his peaceful running of the said bunk shop.

2. Roads are meant for traffic and platforms are means for pedestrians. If roads and platforms are to be encroached upon by the people like the petitioner, definitely it would go against the public interest. Flow of traffic will be affected and the people will be made to walk on the road resulting in causing of injuries and accidental death. Unless the petitioner has got any right, he cannot ask for any mandamus. Hence, the writ petition fails.

3. In the result, writ petition is dismissed. No costs. Consequently, connected W.M.P is closed.

Sd/-
Assistant Registrar(J)

//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.

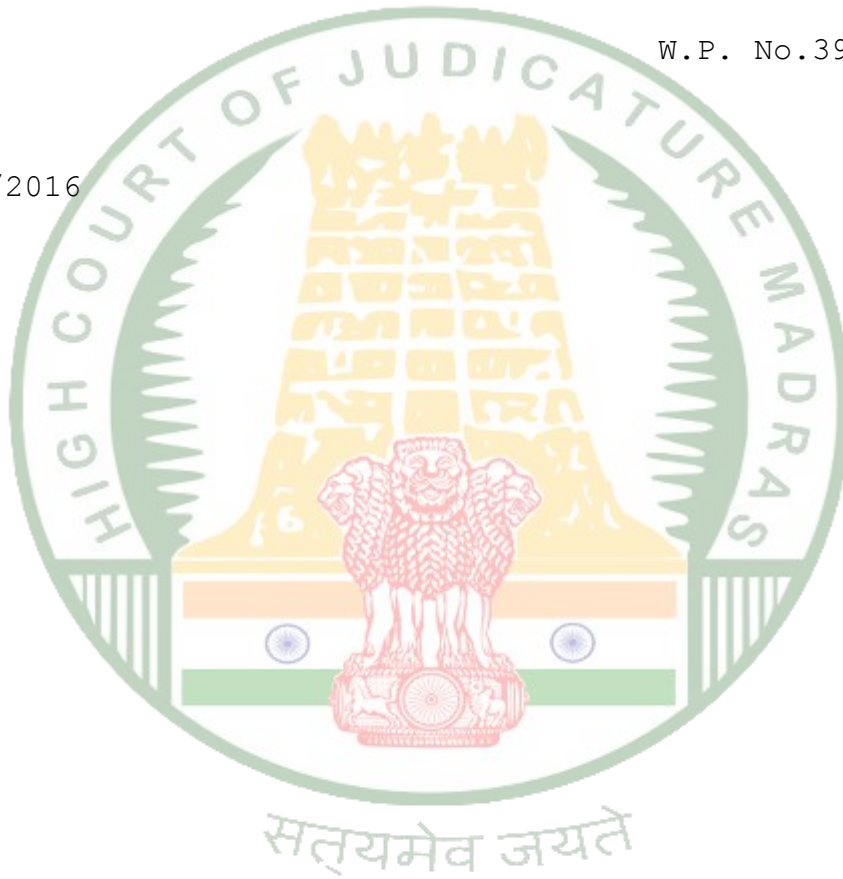
2. The Secretary to Government,
Local Administration Department,
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Chennai - 600 009.

3.The Commissioner,
Corporation of Chennai,
Rippon Buildings,
Chennai - 600 003.

+1cc to Mr.R.Raja, Advocate Sr.64701
+1cc to the Government Pleader sr.65865

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srg 08/12/2016



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