

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED : 15.03.2017
CORAM
THE HON'BLE MR.HULUVADI G.RAMESH, ACTING CHIEF JUSTICE
AND
THE HON'BLE MR.JUSTICE RMT.TEEKAA RAMAN

W.P.No.6280 of 2017
and
W.M.P.No.6772 of 2017

Anbu Nilayam Physically Handicapped
Self Employed Welfare Association,
rep. by its President Mr.A.Chandrasekaran,
No.47, Sait Jaswanthmal Street,
Choolai, Chennai-600 112. .. Petitioner

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 Administrative Director,
SIDCO Ambattur Industrial Estate,
Ambattur, Chennai - 600 058.
3. The Director,
Chennai Auto Ancillary Industrial
Infrastructure Up-gradation Company,
SIDCO Ambattur Industrial Estate,
Ambattur, Chennai - 600 058.
4. The Estate Manager,
TANSIDCO Industrial Estate,
Ambattur, Chennai - 600 058.
5. The Commissioner,
Greater Chennai Corporation,
Chennai - 600 003. .. Respondents

PRAYER: Petition under Article 226 of the Constitution of India for issuance of a writ of Mandamus forbearing the respondents 2 to 5, their men, officials, servants, subordinates, from interfering with the peaceful running of the bunk shops by the members of the petitioner's

association on the road side margin of Ambattur Industrial Estate, Chennai - 600 058, as per the list of members appended to this petition.

For Petitioner : Mr.L.Chandrakumar

For Respondents : Mr.A.Nagarajan
for 5th respondent

ORDER

(Order of the Court was made by the Acting Chief Justice)

Mr.A.Nagarajan, learned counsel takes notice for the fifth respondent.

2. Heard the learned counsel for the petitioner and the learned counsel for the fifth respondent.

3. The petitioner has filed this writ petition seeking issuance of a writ of mandamus forbearing the respondents 2 to 5, their men, officials, servants, subordinates, from interfering with the peaceful running of the bunk shops by the members of the petitioner's association on the road side margin of Ambattur Industrial Estate, Chennai - 600 058.

4. It is the case of the petitioner that the members of the petitioner Association are differently abled persons and are running bunk shops on road side margins of Ambattur Industrial Estate for past several years without disturbing general public or hindering traffic. However, it is alleged that the respondent/authorities are interfering with the running of the bunk shops. Hence, the present writ petition has been filed.

5. In view of the Vending Committee having been constituted vide G.O. (4D) No.5, Municipal Administration and Water Supply (MCI) Department, dated 05.10.2016 and the proceedings of the Commissioner of Corporation in RDC.No.007/2016, dated 1.11.2016 nominating the members of the Vending Committee, we are not inclined to maintain the writ petition and it is for the petitioner to approach the Vending Committee and submit a representation within a week from today. On such representation being made, the same be considered by the Vending Committee in accordance with law within a period of three months and till such time, no coercive action shall be taken against the members of the petitioner. All the grounds urged in this petition can be raised before the Vending Committee.

6. The writ petition is disposed of accordingly. No costs. Consequently, W.M.P.No.6772 of 2017 is closed.

Sd/-
Asst.Registrar (CS VII)

/true copy/

Sub Asst. Registrar

bbr

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 Administrative Director,
SIDCO Ambattur Industrial Estate,
Ambattur, Chennai - 600 058.
3. The Director,
Chennai Auto Ancillary Industrial
Infrastructure Up-gradation Company,
SIDCO Ambattur Industrial Estate,
Ambattur, Chennai - 600 058.
4. The Estate Manager,
TANSIDCO Industrial Estate,
Ambattur, Chennai - 600 058.
5. The Commissioner,
Greater Chennai Corporation,
Chennai - 600 003.

+1 cc to Mr.R.Kamaraj Advocate sr 16465

+1 cc to Government Pleader sr 16310

W.P.No.6280 of 2017

sks(co)
aa23/03/2017

WEB COPY