

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27.03.2017

CORAM

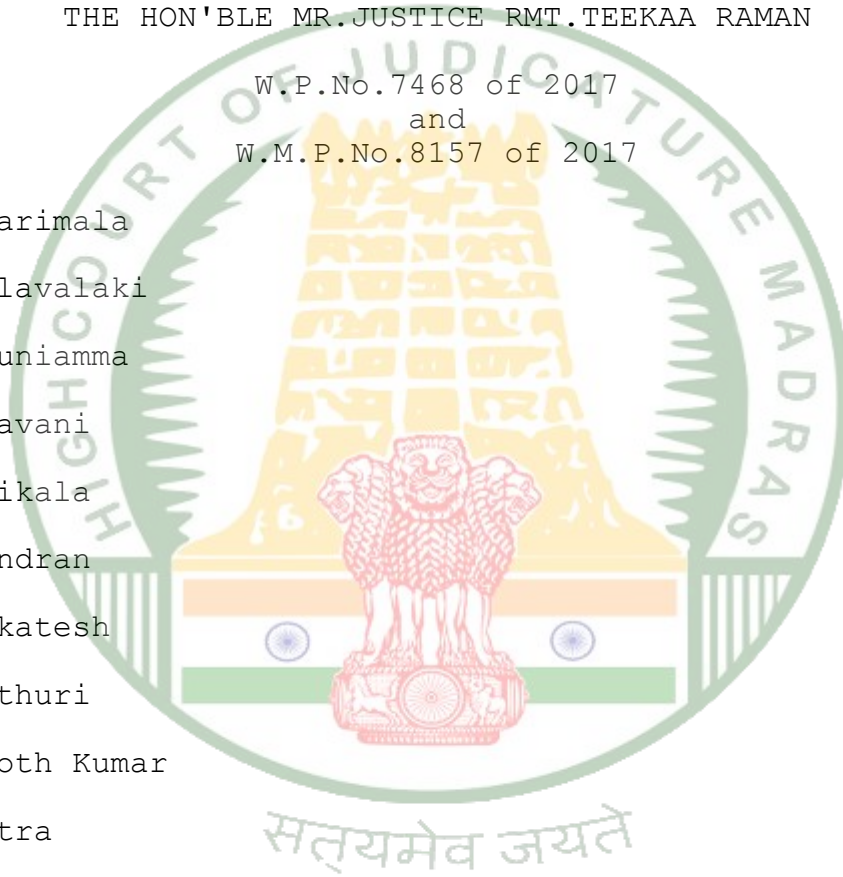
THE HON'BLE MR.HULUVADI G.RAMESH, ACTING CHIEF JUSTICE

AND

THE HON'BLE MR.JUSTICE RMT.TEEKAA RAMAN

W.P.No.7468 of 2017
and
W.M.P.No.8157 of 2017

- 1 R.Parimala
- 2 A.Ilavalaki
- 3 V.Muniamma
- 4 D.Bavani
- 5 Sasikala
- 6 Chandran
- 7 Venkatesh
- 8 Kasthuri
- 9 Vinoth Kumar
- 10 Chitra
- 11 Mukundan
- 12 Arulnathan
- 13 Madha
- 14 B.Meethina Naina Mohamed
- 15 Ammu
- 16 Masthaan



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17 Velankanni

18 Chinnadurai

.. Petitioners

Vs.

1 M/s.Ambattur Industrial Estate
Manufacturers Association
Rep. by its Secretary G.Ravichandran
Ambattur
Chennai 600 058

2 Tamil Nadu Small Industrial Development Corporation,
Rep. by Estate Manager
TANSIDCO, Thiru-Vi-Ka Industrial Estate
Guindy, Chennai 600 032.

3 M/s.Chennai Auto Ancillary
Industrial Infrastructure Up Gradation Company
rep. by Director SIDCO
Administrative Building, 2nd Main Road,
Ambattur Industrial Estate
Chennai 600 058

4 The Commissioner
Corporation of Chennai
Rippon Buildings
Chennai 600 003

5 The State Commissioner for
Differently Abled O/o.State Commissioner
for Differently Abled Nehru Inner Ring Road
K.K.Nagar, Chennai 600 078.

.. Respondents

PRAYER: Petition under Article 226 of the Constitution of India for issuance of a writ of certiorarified mandamus calling for the records of the 2nd respondent in R.C. No.169/A8/ 2012 dated 03.03.2017 and Quash the same and direct the officials viz. The Additional Commissioner (R&F) The District Revenue Officer (L&E) Revenue Officer Law Officer and the Zonal Officer formed by the 4th respondent proceedings dated 19.07.2012 to work out the remedies as directed by this Honourable Court by its order in W.P. No.30348 to 30352 of 2011 dated 05.11.2012.

For Petitioner : Ms.Kanimozhi Mathi

For Respondents : Mr.V.C.Selvasekaran
for 4th respondent

Mr.R.Vijayakumar
for 5th respondent

ORDER

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

Mr.V.C.Selvasekaran, learned counsel takes notice for the fourth respondent. Mr.R.Vijayakumar, learned Additional Government Pleader takes notice for the fifth respondent.

2. Heard the learned counsel for the petitioner and the learned counsel for respondents 4 and 5.

3. The petitioners have filed this writ petition seeking to quash the impugned notices issued by the second respondent dated 03.03.2017.

4. It is the case of the petitioners that they are physically challenged persons and are running bunk shops near Ambit Park Road, Ambattur Industrial Estate for the past several years without disturbing general public or hindering traffic. While so, on 03.03.2017, the second respondent served notices asking the petitioners to vacate bunk shops without considering the orders passed by this Court in W.P.Nos.30348 to 30352 of 2011, dated 05.11.2012. Hence, the present writ petition has been filed seeking the relief stated supra.

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 petitioners to approach the Vending Committee and submit a representation within a week from the date of receipt of a copy of this order. 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.8157 of 2017 is closed.

-s/d-

Assistant Registrar

True Copy

Sub-Assistant Registrar

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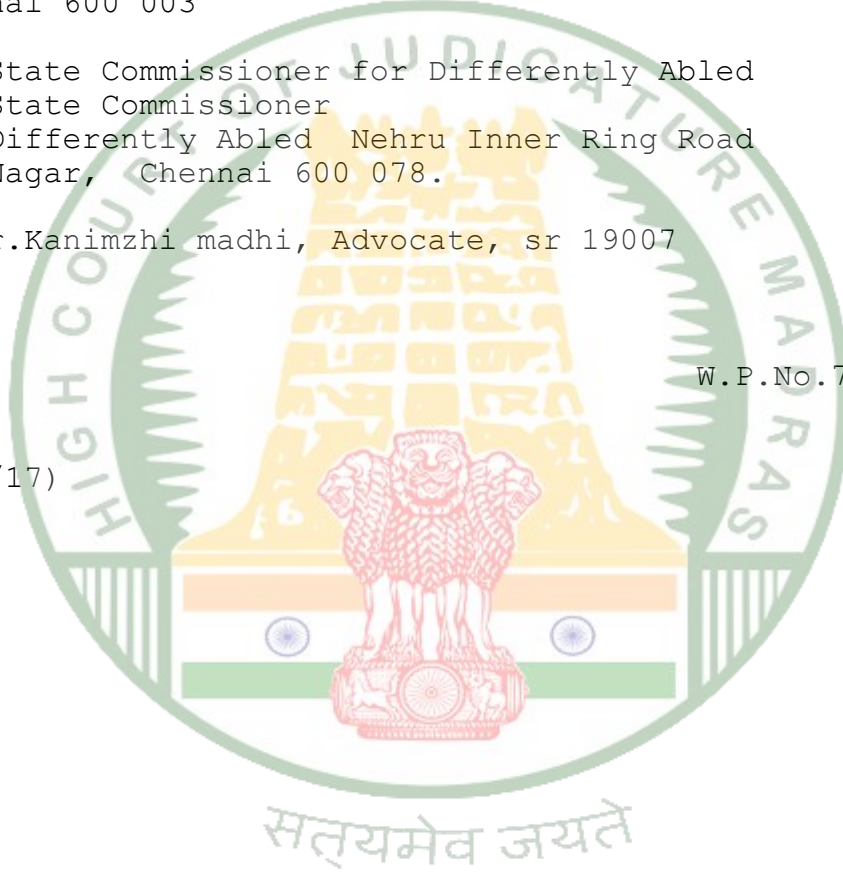
To:

- 1 The Estate Manager
Tamil Nadu Small Industrial Development Corporation,
TANSIDCO, Thiru-Vi-Ka Industrial Estate
Guindy, Chennai 600 032.
- 2 The Commissioner
Corporation of Chennai
Rippon Buildings
Chennai 600 003
- 3 The State Commissioner for Differently Abled
O/o.State Commissioner
for Differently Abled Nehru Inner Ring Road
K.K.Nagar, Chennai 600 078.

+1cc to Mr.Kanimzhi madhi, Advocate, sr 19007

W.P.No.7468 of 2017

kj (co)
rmp (11/04/17)



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