

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 07.08.2017

CORAM

THE HON'BLE Mr. JUSTICE M.DURAI SWAMY

W.P.No.20942 of 2017

M.Saravanan

... Petitioner

V.

1 The Collector
Office of the District Collector
Thiruvallur District.

2 The State Commissioner
for Differently Abled Office of the State
Commissioner for Differently Abled
J.N. Ring Road
Chennai- 600 078.

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

4 The Inspector of Police
Bajar Road
J.J. Nagar, Muggaper West
Chennai- 600 037.

... Respondents

Petition filed under Article 226 of The Constitution of India praying to issue a writ of mandamus directing the respondents to consider the petitioner's application dated 10.04.2017 and allow him to run a bunk shop at J.J. Nagar, 7H Bus Stop, Anna Nagar West, Opposite to police booth, Bazar Road.

For Petitioner : Mr.R.Meenakshi

For Respondents : Mr.P.V.Selvakumar
Addl. Government Pleader

ORDER

Mr.P.V.Selvakumar, learned Additional Government Pleader, takes notice for the respondents. By consent, the main writ petition itself is taken up for disposal at the admission stage itself.

2. The petitioner has filed the above Writ Petition to issue a writ of mandamus directing the respondents to consider the his application dated 10.04.2017 and allow him to run a bunk shop at J.J. Nagar, 7H Bus Stop, Anna Nagar West, Opposite to police booth, Bazar Road.

3.The learned counsel appearing for the petitioner submitted that in similar circumstances, the Division Bench of this court, by order dated 28.02.2017, passed the following order:-

"5.On hearing the learned counsel for the parties, suffice it to direct the Vending Committee constituted vide G.O.(4D)No.5, Municipal Administration and Water Supply (MCI) Department, dated 05.10.2016, to consider the representation of the petitioner dated 27.1.2017 and pass appropriate orders in accordance with law, within three months from the date of receipt of a copy of this order and till such time, no coercive action shall be taken against the petitioner. All the ground urged in this petition can be raised before the Committee."

4. Mr.P.V.Selvakumar, learned Additional Government Pleader, appearing for the respondents submitted that the order passed by the Division Bench of this court can be followed in this writ petition also.

5. In view of the submissions made by the learned counsel on either side, I direct the Vending Committee constituted vide G.O.(4D)No.5, Municipal Administration and Water Supply (MCI) Department, dated 05.10.2016, to consider the petitioner's application

dated 10.04.2017 and pass appropriate orders, in accordance with law, within three months from the date of receipt of a copy of this order and till such time, no coercive action shall be taken against the petitioner. All the grounds urged in this writ petition can be raised before the Committee."

With these observations, the Writ Petition is disposed of. No costs.

07.08.2017

Index : Yes/No

Rj

To

1 The Collector
Office of the District Collector
Thiruvallur District.

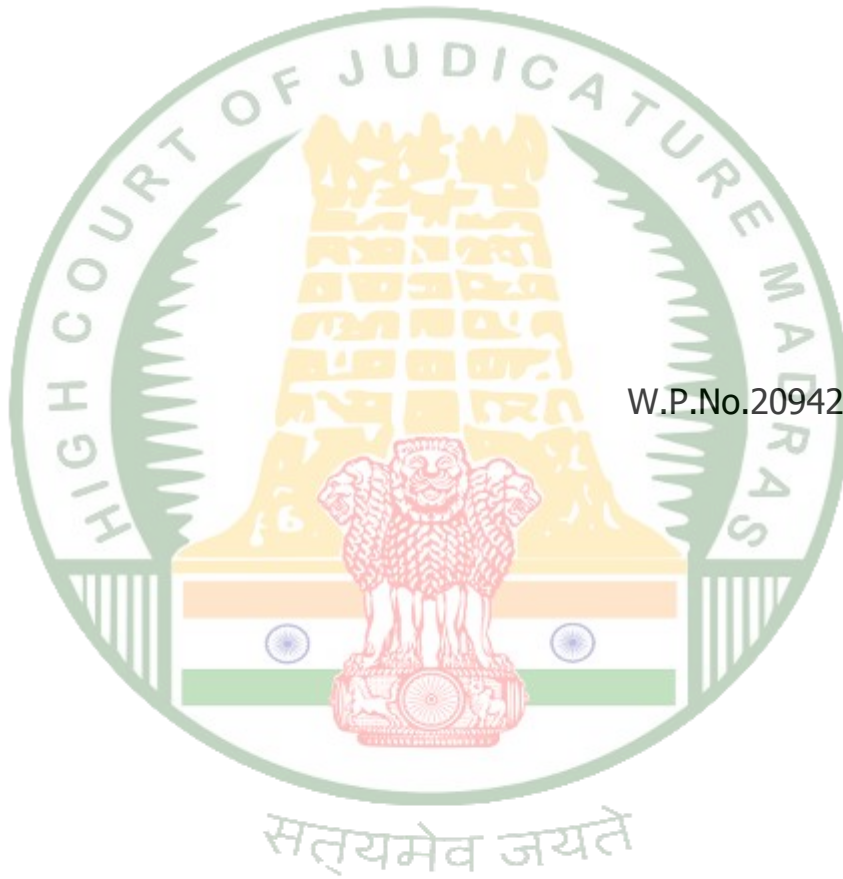
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M.DURAISWAMY, J.

Rj



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