

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 08.08.2017

CORAM

THE HON'BLE MR. JUSTICE M.DURAISWAMY

W.P.No.20998 of 2017

Vardharaj

... Petitioner

Vs.

1.The State Commissioner for Differently Abled,  
No.51/1, Model School Road,  
Thousand Light, Chennai - 600 014.

2.The Commissioner,  
Corporation of Chennai,  
Ripon Building, Chennai - 600 003.

... Respondents

Petition filed under Article 226 of The Constitution of India praying to issue a writ of mandamus forbearing the 2<sup>nd</sup> respondent, his officials, servants from interfering with the petitioner's Bunk Shop Business of selling coffee, tea and other allied eatable items at Cathedral Road, Near Indian Overseas Bank, Gopalapuram, Chennai and consequently, direct the 2<sup>nd</sup> respondent to grant license for running the bunk shop by considering the representation dated 20.06.2016.

For Petitioner : Mr.M.Ramesh Babu

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

O R D E R

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 forbearing the 2<sup>nd</sup> respondent, his officials, servants from interfering with the petitioner's Bunk Shop Business of selling coffee, tea and other allied eatable items at Cathedral Road, Near Indian Overseas Bank, Gopalapuram, Chennai and consequently, direct the 2<sup>nd</sup> respondent to grant license for running the bunk shop by considering the representation dated 20.06.2016.

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 representation dated 20.06.2016 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.

Sd/-

Asst.Registrar (CS V )

/true copy/

Sub Asst. Registrar

To

1.The State Commissioner for Differently Able,  
No.51/1, Model School Road,  
Thousand Light, Chennai - 600 014.

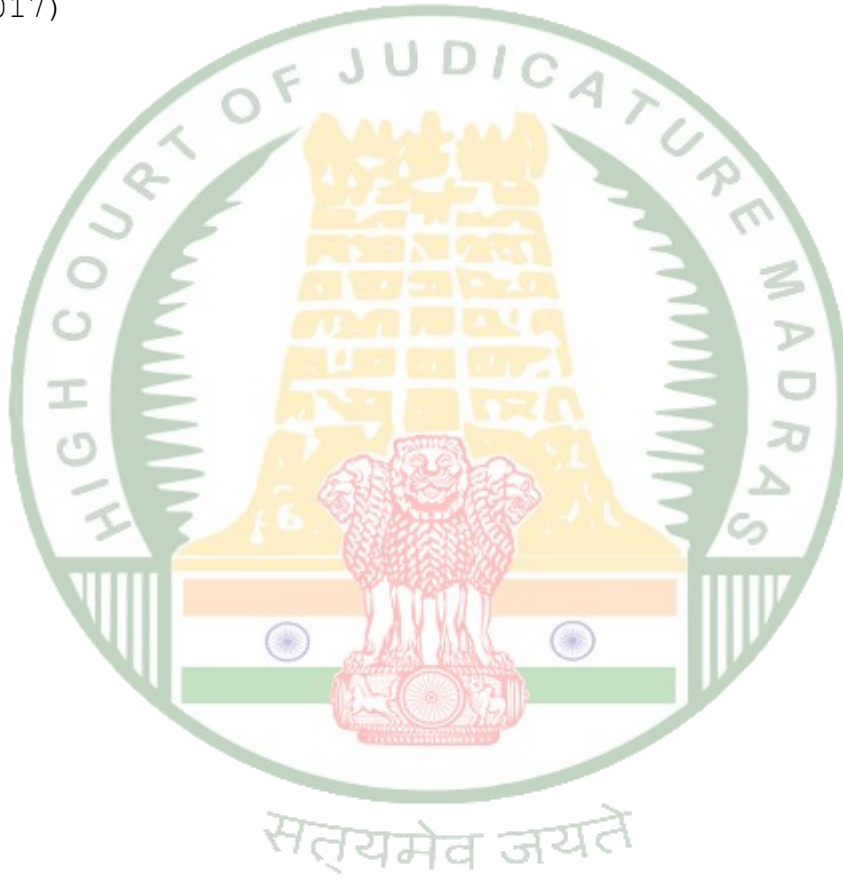
2.The Commissioner,  
Corporation of Chennai,  
Ripon Building, Chennai - 600 003.

+1cc to Mr.P.V.Selvakumar,Advocate sr.57186

+1cc to Government Pleader sr.57977

W.P.No.20998 of 2017

ss (29/8/2017)



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