

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 18.08.2017

CORAM

THE HON'BLE Mr. JUSTICE M.DURAI SWAMY

W.P.No.21949 of 2017

Karthikai Rajan

... Petitioner

v.

1. The Special Commissioner
for Handicapped,
Office of the State Commissioner of Disabled
No.15/1, Model School Road,
Thousand Lights, Chennai 6.

2. The Commissioner
Corporation of Chennai
Rippon Buildings
Chennai – 600 003.

3. The Commissioner of Police,
E.V.R. High Road,
Chennai 7.

... Respondents

Petition filed under Article 226 of The Constitution of India praying to issue a writ of mandamus directing the 2nd respondent to dispose of the petitioner's representation dated 22.01.2017 for issuance of License Bunk Shop on the line of Community Hall, Opp. To CPW Quarters (New), Besan Nagar, Chennai 90, where the petitioner is running fast food and Tiffen Stall.

For Petitioner : Mr.R.Sudhakar

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 2nd respondent to dispose of his representation dated 22.01.2017 for issuance of License for the Bunk Shop on the line of Community Hall, Opp. To CPW Quarters (New), Besan Nagar, Chennai 90, where he is running fast food and Tiffen Stall.

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 22.01.2017 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.

18.08.2017
1/2

rg

To

1. The Special Commissioner
for Handicapped,
Office of the State Commissioner of Disabled
No.15/1, Model School Road,
Thousand Lights, Chennai 6.

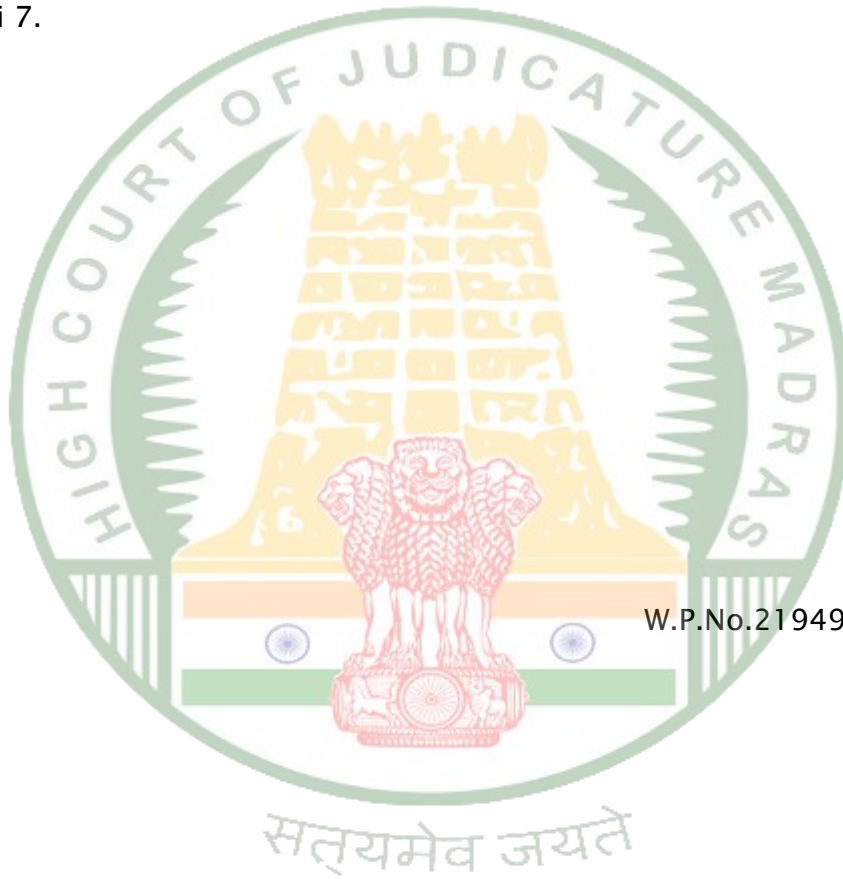
2. The Commissioner
Corporation of Chennai
Rippon Buildings
Chennai – 600 003.

WEB COPY

M.DURAISWAMY, J.

rg

3.The Commissioner of Police,
E.V.R. High Road,
Chennai 7.



W.P.No.21949 of 2017

WEB COPY

18.08.2017

1/2