

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 30.08.2017

CORAM

THE HON'BLE Mr.JUSTICE V.PARTHIBAN

W.P.No.23516 of 2017

S.Kannan

... Petitioner

Vs.

1. The Commissioner,
Corporation of Chennai,
Rippon Building, Park Town,
Chennai 600 003.

2. The Commissioner of Welfare of the
Differently Abled,
Lady Wellington College Complex,
Kamarajar Salai,
Chennai.

... Respondents

Writ Petition filed under Article 226 of the Constitution of India pleased to issue a writ of mandamus directing the first respondent to allot and give permission a place at Binny Road, Government Kaidhe Milleth Arts College compound outside, opposite to Kannimara Hotel, Chennai - 2 for the petitioner to run Bunk Shop and forbearing the respondents from in any manner interfering with the running of the petitioner's bunk shop based on the representation dated 19.08.2017.

For Petitioner ... Mr.M.Suresh Kumar

For Respondents ... Mr.P.V.Selvakumar,
Addl. Govt. Pleader

ORDER

The petitioner has approached this Court seeking the following relief:

to issue a writ of mandamus directing the first respondent to allot and give permission a place at Binny Road, Government Kaidhe Milleth Arts College compound outside, opposite to Kannimara Hotel, Chennai - 2 for the petitioner to run Bunk Shop and forbearing the respondents from in any manner interfering with the

running of the petitioner's bunk shop based on the representation dated 19.08.2017.

2. The writ petitioner claims that he is a visually impaired person and disabled to the extent of 60%. According to the petitioner, he is running the bunk shop for more than four years at Binny Road, Government Quid-E-Milleth Arts College Compound Outside, Opposite to Connemara Hotel, Chennai - 2.

3. Though this Court is not in a position to recognise such occupation of the writ petitioner without proper permission from the competent authority, considering the status of the petitioner and his physical inability, this Court is inclined to direct the first respondent to consider the representation submitted by the petitioner dated 19.08.2017. The petitioner is in possession of National Identity Card and Pass Book with Disability Certificate and therefore his case has to be considered taking into consideration the nature of the physical inability and other financial and family circumstances.

4. In these circumstances, without going into the merits of the case, a direction is issued to the first respondent to consider the representation said to have been made by the petitioner on 19.08.2017 and pass orders in accordance with law and by providing an opportunity to the petitioner, if necessary, in person also and this exercise shall be concluded within a period of six weeks from the date of receipt of a copy of this order. Accordingly, the writ petition stands disposed of. No costs.

Sd/-

सत्यमेव जयते
Assistant Registrar(CS II)

//True Copy//

Sub Assistant Registrar

mmi

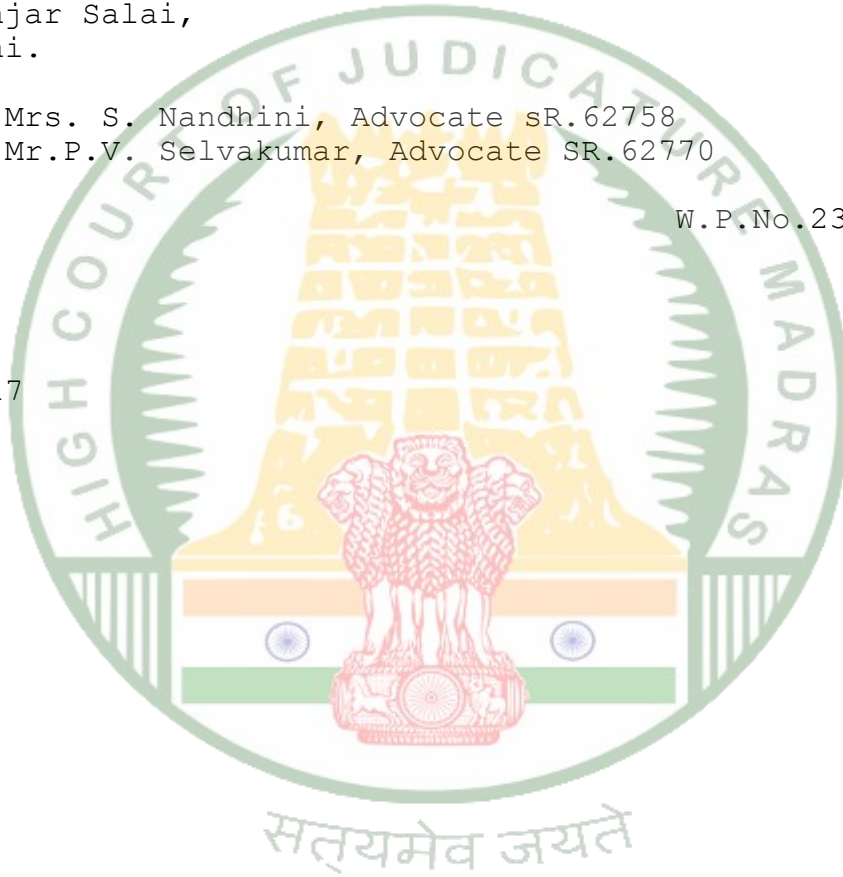
To

1. The Commissioner,
Corporation of Chennai,
Rippon Building, Park Town,
Chennai 600 003.
2. The Commissioner of Welfare of the
Differently Abled,
Lady Wellington College Complex,
Kamarajar Salai,
Chennai.

+ 1 cc to Mrs. S. Nandhini, Advocate SR.62758
+ 1 cc to Mr.P.V. Selvakumar, Advocate SR.62770

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SCD(CO)
Eu 13.09.17



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