

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 31.08.2017

CORAM

THE HONOURABLE MR. JUSTICE V.PARTHIBAN

W.P.No.23563 of 2017

M.Hussain Baig

.. Petitioner

Vs.

1.The State Commissioner for
Disabled, K.K.Nagar,
Chennai - 78.

2.The Commissioner,
Corporation of Chennai,
Ripon Buildings, Chennai - 3.

.. Respondents

Petition filed under Article 226 of The Constitution of India praying for the issuance of a writ of mandamus to direct the second respondent to consider and pass orders on the petitioner's representation dated 10.08.2017 with regard to grant of licence for running petty shop/bunk shop within a stipulated time as fixed by this Court.

For Petitioner.. Mr.M.Ramdoss

For Respondents.. Mr.S.Diwakar,
Spl. Govt. Pleader for R1
Mr.P.V.Selvakumar,
Addl. Govt. Pleader for R2

ORDER

The petitioner has approached this Court seeking the following relief:

to issue a writ of mandamus to direct the second respondent to consider and pass orders on the petitioner's representation dated 10.08.2017 with regard to grant of licence for running petty shop/bunk shop within a stipulated time as fixed by this Court.

2.According to the petitioner, he is 60% physically disabled person and has studied upto 10th standard. The Government of Tamil Nadu has introduced the welfare scheme for the purpose of

rehabilitation of the disabled persons in order to earn their livelihood. In the said circumstances, the petitioner is said to have made a representation on 07.09.2016 requesting grant of licence to run the bunk shop near Mogappair bus stop. According to him, inspite of receipt of the representation dated 07.09.2016, which was followed by another representation on 10.08.2017, no decision has been communicated to the petitioner by the second respondent, who is the competent authority to take a decision in the matter. In the said circumstances, the petitioner has approached this Court seeking for the issue of a mandamus.

3.Considering the limited prayer being sought for in the writ petition, for which, the learned Special Government Pleader and the learned Additional Government Pleader, who take notice on behalf of respondents 1 and 2 respectively can have no objection.

4.In the said circumstances, there shall be a direction to the second respondent to consider and pass orders on the representation said to have been made on 07.09.2016 and 10.08.2017 on merits and in accordance with law within a period of two months from the date of receipt of a copy of this order. It is also mentioned by the learned counsel appearing for the petitioner that the first respondent has already recommended favourably the claim of the petitioner. The second respondent shall take the recommendation into consideration before passing final orders on the representation.

5.With the above direction, the writ petition stands disposed of. No costs.

-s/d-

Assistant Registrar (CS-II)

True Copy

Sub-Assistant Registrar

mmi

To

1.The State Commissioner for
Disabled, K.K.Nagar,
Chennai - 78.

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2.The Commissioner,
Corporation of Chennai,
Ripon Buildings, Chennai - 3.

+1 CC to Mr.P.V. Selvakumar, advocate sr 62777
+1 Cc to Mr.M. Ramdoss, Advocate sr 62770.

W.P.No.23563 of 2017

RJ (CO)
sp (20/09/2017)



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