

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 30.06.2017

C O R A M

THE HON'BLE Mr.JUSTICE S.M.SUBRAMANIAM

W.P.No.16519 OF 2017

C. Babu

... Petitioner

Versus

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 for the petitioner to run Bunk Shop at Government Quid-E-Milleth Arts College Compound Last, outside, Link Road, Binny Road, Opp-Taj Connimara Hotel, (Link Road Corner) Chennai 600 002 and forbearing the respondents from in any manner interfering with the running of the petitioner's bunk shop based on the representation dated 15.06.2017.

For Petitioner

... Mr.S.Ramachandran

For Respondents

... Mr.P.V.Selvakumar,

Addl.Government Pleader

ORDER

This writ petition is filed for issuance of a writ of mandamus directing the first respondent to allot and give permission a place for the petitioner to run Bunk Shop at Government Quid-E-Milleth Arts College Compound Last, outside, Link Road, Binny Road, Opp-Taj Connimara Hotel, (Link Road Corner) Chennai 600 002 and forbearing the respondents from in any manner interfering with the running of the petitioner's bunk shop based on the representation dated 15.06.2017.

2. The writ petitioner claims that he is an orthopaedically handicapped person and disabled to the extent of

60%, further it is stated that he is running the bunk shop for about four years adjacent to the compound wall of Government Quid-E-Milleth Arts College Compound last, Outside, Link Road, Binny Road, Opposite to Taj Connimara Hotel (Link Road Corner) Chennai 600 002.

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 writ petitioner dated 15.06.2017. The writ petitioner has obtained a certificate from the department of the Rehabilitation of the Disabled and therefore his case has to be considered taking into consideration the nature of the physical inability and other financial and family circumstances. Under these circumstances without appreciating the merits of this case, this Court is inclined to direct the first respondent to consider the representation submitted by the petitioner dated 15.06.2017 and pass orders in accordance with law and by providing an opportunity to the writ 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.

s/d-
Assistant Registrar(CS-III)

True Copy

Sub-Assistant Registrar

dpq

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 Mr.S. Ramachandran, Advocate sr 45414
+1 CC to Mr.P.V. Selvakumar, advocate sr 45932

W.P.No.16519 OF 2017

KGK (CO)
sp(13/07/2017)