

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 26.10.2017

CORAM:

THE HONOURABLE MR.JUSTICE S.VAIDYANATHAN

W.P.No.27303 of 2017

P.Vijayakumar

.. Petitioner

Vs.

- 1.The Commissioner,
Corporation of Chennai,
Ripon Building, Chennai - 600 003.
 - 2.The Zonal Officer,
Corporation of Chennai,
Zone-5, Ward-61,
Region-14, Chennai - 600 002.
 - 3.The Junior Engineer,
Corporation of Chennai,
Zone-5, Ward-61,
Region-14, Chennai - 600 002.
 - 4.Government of Tamil Nadu
Rep. by Secretary,
Tamil Nadu Differently Abled
and disability Person Department,
St. George Fort, The Secretariat,
Chennai - 600 009.
 - 5.The State Commissioner for Differently abled Person,
SRDC, Jawaharlal Nehru Inner Ring Road,
K.K.Nagar, Chennai - 600 078.
- .. Respondents

Writ Petition filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Mandamus to direct the 1st respondent to consider the petitioners representation dated 30.08.2017 and grant permission for running Bunk Shop at Government land which is situated near the Old Commissioner Office, Egmore and the Egmore Court or allot a New alternative and suitable site to the petitioner within a time frame.

For petitioner : Mr.R.Arunkumar
For RR1 to 3 : Mr.T.C.Gopalakrishnan, for Corporation
For RR4 & 5 : Mr.O.Selvam, G.A.

ORDER

The petitioner has come forward with this Writ Petition praying for issuance of a Writ of Mandamus to direct the 1st respondent to consider the petitioners representation dated 30.08.2017 and grant permission for running Bunk Shop at Government land which is situated near the Old Commissioner Office, Egmore and the Egmore Court or allot a New alternative and suitable site to the petitioner within a time frame.

2. The petitioner is a physically handicapped person, as due to polio attack his two legs became non-functional from his child age. He had enrolled his name in the employment office, but till now, he was not provided with employment. He was unemployed and suffering badly with his two children without any income. In order to eke his livelihood, the petitioner intends to start a small bunk shop in the land belonging to the Government near the Egmore Judges residence and Old Commissioner Office.

3. The petitioner has further submitted that as he is a handicapped person, Section 19 of the Rights of Persons with Disabilities Act, 2016 ensures the vocational training and self employment and Section 19(1) says that the appropriate Government shall formulate scheme and programmes including provisions of loans at concessional rates to facilitate and support employment of persons with disabilities especially for their vocational training and self-employment.

4. Hence, the petitioner has submitted a representation, dated 30.08.2017 to the respondents seeking to grant permission/licence to start a bunk shop in the above said place. Since no action has been taken on the said representation, the petitioner has filed the above Writ Petition for the relief stated supra.

5. Taking into consideration the limited scope of the prayer made in the Writ Petition and without going into the merits of the case, this Court directs the first respondent to consider the said representation of the petitioner, dated 30.08.2017 and after hearing the petitioner, appropriate orders be passed on merits and in accordance with law, within a period of one month from the date of receipt of a copy of this order.

6. With the above observations/direction, the Writ Petition is disposed of. No costs.

-s/d-
Assistant Registrar (CS-IV)

True Copy

Sub-Assistant Registrar

pvs

To

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Chennai - 600 009.
 5. The State Commissioner for Differently abled Person,
SRDC, Jawaharlal Nehru Inner Ring Road,
K.K.Nagar, Chennai - 600 078.
- +2 Ccs to Mr.P. Arunkumar, advocate sr 75516.
+1 Cc to Mr.Gopalakrishnan, advocate sr 75837.
+1 CC to Mr.O. Selvam, Advocate sr 76572.
+1 Cc to Govt. Pleader sr 76947.

W.P.No.27303 of 2017

SP(09/11/2017)