

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27.01.2017

CORAM

THE HONOURABLE MR.JUSTICE T.RAJA

W.P.No.1914 of 2017

Doss

S/o Raghupillai

... Petitioner

-Vs-

1. The Commissioner
Corporation of Chennai
Rippon Building
Chennai 600 003

2. The Commissionerate for the
Welfare of the Differently Abled
Jawaharlal Nehru Inner Ring Road
K.K.Nagar
Chennai 600 078

... Respondents

Petition under Article 226 of the Constitution of India, praying for the issue of a Writ of Mandamus, directing the first respondent to allot and give permission/place for the petitioner to run Bunk Shop based on the representation dated 04.01.2017.

For Petitioner : Mr.G.Anbuchezeian

For Respondents : Mr.P.V.Selvakumar for R1

ORDER

This writ petition has been filed by Mr.Doss, S/o Raghupillai seeking issuance of a writ of mandamus under Article 226 of the Constitution of India, directing the Commissioner, Corporation of Chennai, the first respondent herein to allot and give permission/place for the petitioner to run a bunk shop based on the representation dated 4.1.2017.

2. It is stated by the learned counsel for the petitioner that when the petitioner is a visually impaired person with 100% disability, he is deprived of the normal walking and is also unable to go anywhere. He has also obtained a certificate from the office of the Department of Rehabilitation for the Disabled to prove his disability at 100% and with the help of Civil Assistant Surgeon, Regional Institute of Ophthalmology, he is running a bunk shop near the fourth gate of the Government

Children's Hospital, Tamilvazhi Salai, Egmore, Chennai and eking out his livelihood. Though he has made a representation on 4.1.2017, which was received by the first respondent on 5.1.2017, he is apprehending disturbance at any time from the office of the first respondent. Hence he has been advised to approach this Court for consideration of his representation.

3. Mr.P.V.Selvakumar, learned standing counsel takes notice on behalf of the first respondent.

4. Admittedly the petitioner is a visually impaired person and the disability certificate issued by the Civil Assistant Surgeon, Government Ophthalmic Hospital, Chennai also shows that he is 100% disabled. Therefore this Court, considering the factor that the petitioner has been eking out his livelihood by running a bunk shop near the fourth gate of the Government Children's Hospital, Tamilvazhi Salai, Egmore, Chennai, hereby directs the first respondent to consider and dispose of the representation of the petitioner dated 4.1.2017 humanely within a period of two weeks from the date of receipt of a copy of this order. The writ petition stands disposed of accordingly. No costs.

Sd/-
Assistant Registrar(CO)

//True Copy//

Sub Assistant Registrar

ss

To

1. The Commissioner
Corporation of Chennai
Rippon Building
Chennai 600 003

2. The Commissionerate for the
Welfare of the Differently Abled
Jawaharlal Nehru Inner Ring Road
K.K.Nagar
Chennai 600 078.

+1cc to Mr.G.Anbuchezeian, Advocate, S.R.No.5101
+1cc to Mr.P.V.Selvakumar, Advocate, S.R.No.5033
+1cc to the Government Pleader, S.R.No.5394

W.P.No.1914 of 2017

SK(CO)
CA(03/02/2017)