

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 22.11.2017

CORAM:

THE HONOURABLE MR.JUSTICE S.VAIDYANATHAN

W.P.No.29936 of 2017

A.Maheswari

.. Petitioner

Vs.

1. The Special Commissioner for Handicapped,
Office of the State Commissioner of Disabled,
No.15/1, Model School Road,
Thousand Lights,
Chennai-600 006.
2. The Commissioner,
Corporation of Chennai,
Ripon Buildings,
Chennia-600 003.
3. The Assistant Revenue Officer,
Zone-15, Greater Chennai Corporation,
No.120, Rajiv Gandhi Salai,
OMR, Sholinganallur,
Chennai-600 119.
4. The Commissioner of Police,
Egmore,
Chennai-600 008.

.. Respondents

Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus to direct the third respondent to consider the petitioner's representation, dated 03.10.2017 for setting up a Bunk Shop near the Thuraipakkam Bus Stand (Pallavaram Link Road), Chennai.

For Petitioner : Mr.L.Thanikachalam

For Respondents : Mr.S.Diwakar, Spl.G.P. for RR-1 & 4
Mr.T.C.Gopalakrishnan for RR-2 & 3

ORDER

The petitioner has come forward with above writ petition praying for issuance of a Writ of Mandamus to direct the third respondent to consider the petitioner's representation, dated 03.10.2017 for setting up a Bunk Shop near the Thuraipakkam Bus Stand (Pallavaram Link Road), Chennai.

2. The petitioner is a physically disabled person with 85% disability. She is seeking to allot a Bunk Shop in her favour near the said place. According to her, the Bunk Shop will no way disturb the general public or free flow of traffic. The petitioner has sent a representation, dated 03.10.2017 to the second respondent to allot a Bunk Shop to her in the said place to eke out her livelihood.

3. Since the petitioner has already sent a representation dated 03.10.2017 to the second respondent to consider her case for allotting a Bunk Shop, the respondents are directed to consider the said representation of the petitioner and pass appropriate orders in accordance with law, within a period of one month from the date of receipt of a copy of this order, after hearing the petitioner and others, if any, aggrieved. Before granting permission to run the Bunk Shop, the authority concerned must ensure that the Bunk Shop to be allotted to the petitioner shall not affect free flow of traffic and should not cause hindrance to the pedestrians/public and no harmful products like cigarettes, panparag, etc. that cause health hazards shall be sold. If it is found that the petitioner is violating the above conditions and other conditions that may be imposed in running the Bunk Shop, the Bunk Shop of the petitioner shall be sealed by the respondents without notice. Before doing so, the respondents can take videograph and photograph to justify their stand.

4. With the above observations and direction, the writ petition is disposed of. No costs.

Sd/-

Assistant Registrar(CS V)

//True Copy//

Sub Assistant Registrar

CS

To

1. The Special Commissioner for Handicapped,
Office of the State Commissioner of Disabled,
No.15/1, Model School Road,
Thousand Lights, Chennai-600 006.
2. The Commissioner,
Corporation of Chennai,
Ripon Buildings, Chennai-600 003.
3. The Assistant Revenue Officer,
Zone-15, Greater Chennai Corporation,
No.120, Rajiv Gandhi Salai,
OMR, Sholinganallur,
Chennai-600 119.
4. The Commissioner of Police,
Egmore,
Chennai-600 008.

+1cc to Mr.T.C.Gopalakrishnan, Advocate, S.R.No.82989
+1cc to Mr.L.Thanikachalam, Advocate, S.R.No.83017
+1cc to the Government Pleader, S.R.No.83723

W.P.No.29936 of 2017

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