

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 24.01.2017

CORAM :

The Hon'ble MR.SANJAY KISHAN KAUL, CHIEF JUSTICE  
AND  
The Hon'ble MR.JUSTICE M.SUNDAR

W.P.No.39975 of 2015  
and  
M.P.Nos.1 and 2 of 2015

S.K.Suresh Kumar

... Petitioner

-Vs-

1. The State Commissioner of  
Differently Abled,  
O/o.State Commissioner of Differently Abled,  
J.N.Ring Road, Chennai 600 078.
2. The Commissioner  
Corporation of Chennai,  
Ripon Buildings, Chennai 600 003.
3. Tamil Nadu Small Industries  
Development Corporation Ltd.,  
Polwells Road, Kaltipara Junction,  
Chennai 600 006.

4. D.Vimal Raj

... Respondents

Petition filed under Article 226 of the Constitution of India praying for issue of Writ of Mandamus to forbear the respondents 1 to 3 from allowing the 4<sup>th</sup> respondent to erect a bunk stall opposite to J-3 Police Station, Guindy Industrial Estate, Guindy, Chennai 600 032, pursuant to the order passed by this Court in W.P.No.27258 of 2015.

For Petitioner : Mr.R.Raman Laal

For Respondents : Mrs.Vasudha Thiagarajan  
Additional Government Pleader  
for R-1  
: Mr.V.C.Selvasekaran for R-2  
: Mr.Abdul Saleem for R-3

O R D E R

(Order of the Court was made by The Hon'ble Chief Justice)

The fourth respondent before us was the petitioner in W.P.No.27258 of 2015. In a batch of writ petitions, initially status quo order was granted and then, the writ petitions were allowed on 03.09.2015 on the premise that as and when the Vending Committee would be set up, the same would look into the issue in question. Until then, there was an interim protection.

2.It is pointed out by the learned counsel for the petitioner and agreed to by the learned counsels for the second and third respondents that actually the area in question is under the control of the third respondent. Learned counsel for the third respondent states that no permission was granted by the third respondent to the fourth respondent to install any bunk shop nor was there existed any bunk shop, but under the pretext of the status quo order, the bunk shop was sought to be installed which compelled the petitioner to approach the Court.

3.We are informed that at present there is no bunk shop in existence.

4.In view of the developments as mentioned aforesaid, the fourth respondent will not be entitled to avail of the benefit of the order in the batch of writ petitions dated 03.09.2015, as there was no bunk shop in existence and the only order was status quo.

Writ petition is, accordingly, disposed of. No costs. Consequently, M.P.Nos.1 and 2 of 2015 stand closed.

Sd/-

Assistant Registrar(CS V)

//True Copy//

Sub Assistant Registrar

sra

To

1. The State Commissioner of  
Differently Abled,  
O/o.State Commissioner of Differently Abled,  
J.N.Ring Road, Chennai 600 078.

2. The Commissioner  
Corporation of Chennai,  
Ripon Buildings, Chennai 600 003.

3. Tamil Nadu Small Industries  
Development Corporation Ltd.,  
Polwells Road, Kaltipara Junction,  
Chennai 600 006.

+1cc to Mr.R.Ramanlaal, Advocate, S.R.No.4582

+1cc to the Government Pleader, S.R.No.4573

W.P.No.39975 of 2015

SV(CO)  
CA(02/02/2017)



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