

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 23.04.2018

CORAM

THE HONOURABLE MR.JUSTICE K.KALYANASUNDARAM

W.P No.10008 of 2018

M.Sabapathy

..Petitioner

Vs

1.The Commissioner,
Corporation of Chennai.

2.The Commissioner,
Ambattur Municipality,
Now as Executive Engineer,
Zone -7, Ambattur,
Chennai - 600 053.

.. Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India, seeking issuance of writ of mandamus, directing the respondents to consider the petitioner's representation dated 10.01.2018 and consequently directing the respondent to grant permission to conduct the petty shop (bunk kadai) in around Anna Nagar 2nd Avenue, 12th main Road, Thirumangalam, Chennai - 600 040 (Near by Adyar Ananda Bhavan) and Ambattur.

For Petitioner : Mr.A.Meenakshi Sundaram

For Respondents : Mr.T.C.Gopalakrishnan
Standing Counsel

O R D E R

Mr.T.C.Gopalakrishnan, learned Standing Counsel takes notice on behalf of the respondents. By consent of the learned counsel appearing for the parties, the writ petition is taken up for final hearing at the admission stage itself.

2. The petitioner has come forward with the present writ petition seeking issuance of a Writ of Mandamus, to direct the respondents to consider his representation dated 10.01.2018 and consequently direct the respondents to grant permission to run a petty shop (bunk kadai) in around Anna Nagar 2nd Avenue, 12th main Road, Thirumangalam, Chennai and Ambattur.

3. The case of the petitioner is that he is a physically challenged person and having disability of 43%. He gave a representation to the first respondent on 10.01.2018, seeking permission to establish a bunk shop. Since, no favourable order was passed, the present writ petition.

4. Mr.A.Meenakshi Sundaram, learned counsel for the petitioner would submit that it would suffice, if a direction is issued to the respondents to consider the representation of the petitioner.

5. The learned Standing Counsel appearing for the respondents submitted that if, the petitioner gives a representation/application to the Zonal Officer / Assistant Commissioner, Zone -7, Ambattur, the same would be considered in accordance with law.

6. In reply, the learned counsel for the petitioner submitted that the petitioner is ready to submit an application to the appropriate authority.

7. In the light of the above facts and the submissions made by the learned counsels on either side, this Court, without going into the merits of the case, directs the petitioner to give an application to the Zonal Officer / Assistant Commissioner, Zone-7, Ambattur, within a period of two weeks from the date of receipt of a copy of this order. On such compliance, he shall consider the same and pass orders on merits and in accordance with law, after providing an opportunity of personal hearing to all the necessary parties, within a period of twelve weeks there from.

With the above direction, this writ petition is disposed of. However, there shall be no order as to costs.

सत्यमेव जयते

Sd/-

Assistant Registrar(CS V)

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Sub Assistant Registrar

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To

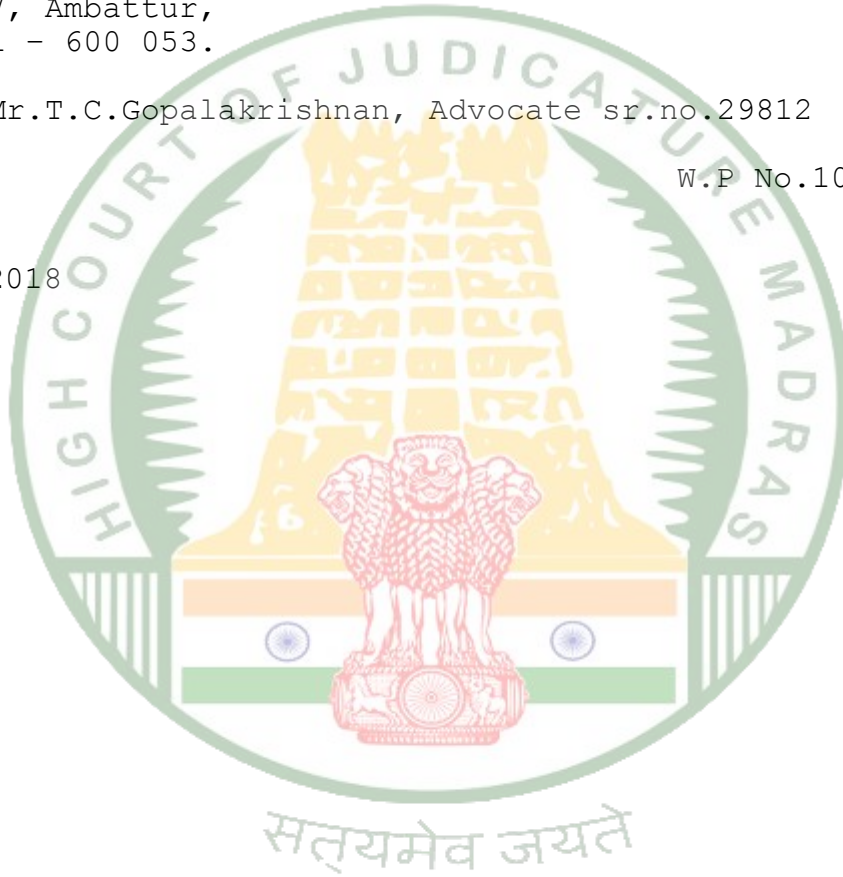
1.The Commissioner,
Corporation of Chennai.

2.The Commissioner,
Ambattur Municipality,
Now as Executive Engineer,
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+1cc to Mr.T.C.Gopalakrishnan, Advocate sr.no.29812

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sg(co)
nr 15/05/2018



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