

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 24.01.2018

CORAM

THE HONOURABLE MR. JUSTICE K.KALYANASUNDARAM

WP.No.632 of 2018
and W.M.P.No.789 of 2018

B.Rajkumar

...Petitioner

Vs.

1. The State Commissioner for Differently abled persons,
Office of the State Commissioner for Differently abled
persons,
SRDC, Jawaharlal Nehru Inner Ring Road,
K.K.Nagar, Chennai - 600 078.
2. The Commissioner, Chennai Corporation,
Rippon Building, Chennai - 600 003.
3. The Assistant Engineer,
Chennai Corporation, Zone 14, Ward 189,
No.1, Thulakkanathamman koil Street,
Pallikaranai, Chennai - 600 100.

...Respondents

PRAYER: Writ petition filed under Article 226 of the Constitution of India praying for issuance of Writ of Mandamus directing the respondents 2 and 3 to consider the representation of the petitioner dated 01.12.2017 and grant permission for running bunk shop situate near tank and park, Narayanapuram, Velachery - Medavakkam Main Road, Chennai - 600 100, or allot a new alternative and suitable site to the petitioner within a time frame as stipulated.

For Petitioner

: Mr.C.Prabakaran

For R1

: Mr.B.Anand

Government Advocate

For R2 and R3

: Mr.T.C.Gopala krishanan

ORDER

The prayer sought for in this writ petition is for issuance of Writ of Mandamus to direct the respondents 2 and 3 to consider the representation of the petitioner dated 01.12.2017 and grant permission for running bunk shop situate near tank and park, Narayanapuram, Velachery - Medavakkam Main Road, Chennai -

600 100 or allot a new alternative and suitable site to the petitioner.

2. The case of the petitioner is that he is a disabled person, carrying on small business by putting up a bunk shop bear the bus stop at Tank and Park, Narayanapuram, Velachery to Medavakkam Main Road, Chennai. The officials belonging to the respondents have made disturbance and interfered with the peaceful running of the bunk shop. Hence the petitioner made a representation to the respondents not to disturb his business activities. As his representation was not considered, the present writ petition.

3. Heard, learned counsel appearing for the petitioner, learned Government Advocate for the 1st respondent and learned counsel appearing for the respondents 2 and 3.

4. The learned standing counsel for the respondents 2 and 3 submitted that the petitioner as on date is not running business and his representation would be considered in accordance with law.

5. The learned counsel for the petitioner fairly submitted that the petitioner was running his business in that place and now he has been evicted from the place.

6. In the light of the above facts and submissions of the learned counsels for both sides, this Court, without going into the merits of the case, directs the respondents to consider the representation of the petitioner dated 01.12.2017 and pass orders on merits and in accordance with law, after providing opportunity to the petitioner, within a period of twelve weeks from the date of receipt of copy of this order.

7. With the above observation and directions, the writ petition is disposed of. No costs. Consequently, connected Miscellaneous petition is closed.

Sd/-

Asst.Registrar (CS VII)

/true copy/

Sub Asst. Registrar

pvs / msrm

To

1. The State Commissioner for Differently abled persons,
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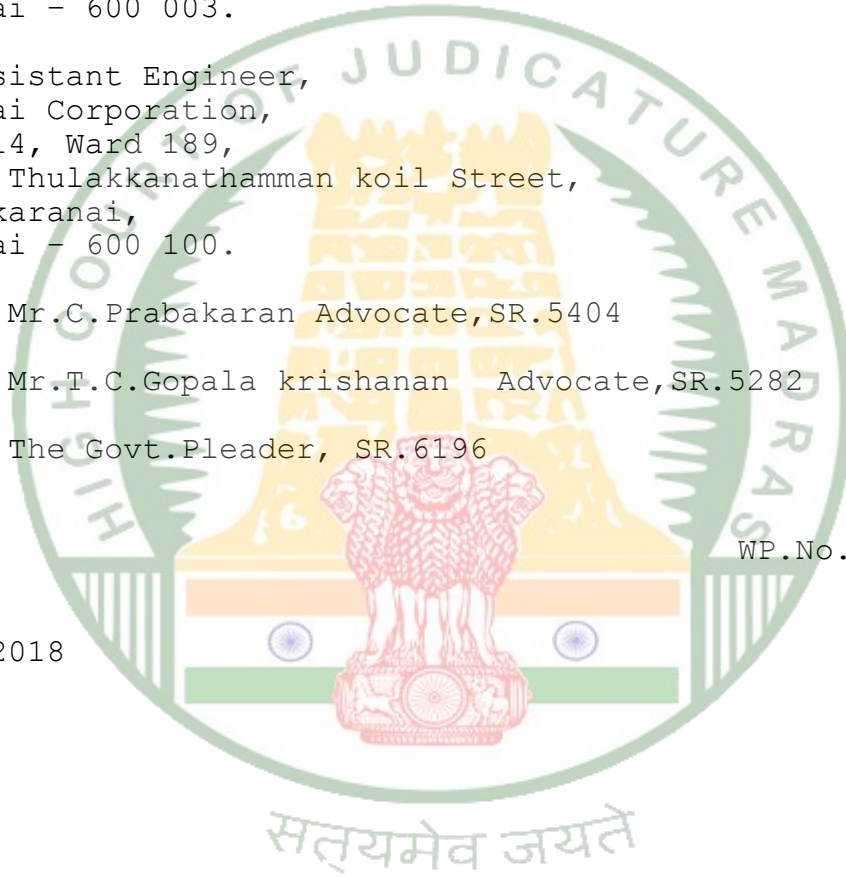
+ 1 cc to Mr.C.Prabakaran Advocate,SR.5404

+ 1 cc to Mr.T.C.Gopala krishanan Advocate,SR.5282

+ 1 cc to The Govt.Pleader, SR.6196

WP.No.632 of 2018

rr(co)
nr 09/03/2018



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