

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 28.03.2018

CORAM

THE HONOURABLE MR. JUSTICE K.KALYANASUNDARAM

WP.No.7426 of 2018

P.Sivashakthi

...Petitioner

Vs.

- 1.The District Collector,
Collector Office,
No.62, Rajaji Salai,
Chennai -1.
 2. The State Commissioner for
Differently Abled,
Commissioner for the Welfare of the
Differently Abled,
No.5, Kamarajar Salail,
Lady Wellington College Campus,
Chennai - 600 005.
 3. The Commissioner,
Corporation of Chennai,
Rippon Buildings, Chennai - 600 003.
- ...Respondents

PRAYER: Writ petition filed under Article 226 of the Constitution of India praying for issuance of Writ of Mandamus to direct the respondents 1 to 3 to consider and grant permission to set up a permanent licensed petty shop on the Chitadripet Near PRR & SONS location based on the petitioner representation dated on 31.01.2018.

For Petitioner : M/s.N.Suriyamuthu

For Respondents : Mr.V.Shanmuga Sundar,

Spl.G.P. (for RR1 & 2)

Mr.T.C.Goplalakrishnan (for R3)

WEB COPY

ORDER

This petition has been filed for issuance of a Writ of Mandamus to direct the respondents 1 to 3 to consider and grant permission to set up a permanent licensed petty shop at Chitadripet, Near PRR & SONS based on the representation of the petitioner dated 31.01.2018.

2. Heard the learned counsel appearing for the petitioner, the learned Special Government Pleader appearing for the respondents 1 and 2 and the learned Standing Counsel appearing for the 3rd respondent.

3. The case of the petitioner is that she is a physically handicapped person. In order to eke out her livelihood, she sent a representation, dated 31.01.2018 to the 2nd respondent, seeking permission to set up a permanent licensed petty shop. Since no action was taken, the present writ petition.

4. The learned standing counsel for the 3rd respondent submitted that if a fresh representation is given to the Vending Committee, the same would be considered in accordance with law.

5. In the light of the above facts and submissions, this Court, without going into the merits of the case, directs the petitioner to give fresh representation to the Vending Committee within a period of two weeks from the date of receipt of a copy of this order. On receipt of the said representation, the Vending Committee shall consider the representation of the petitioner and pass orders, on merits and in accordance with law, within a period of eight weeks therefrom, after providing an opportunity of hearing to the petitioner.

6. With the above observation and directions, the writ petition is disposed of. No costs.

Sd/-

Assistant Registrar(CS-IX)

//True Copy//

Sub Assistant Registrar

pvs

To

- 1.The District Collector, Collector Office,
No.62, Rajaji Salai, Chennai -1.
 2. The State Commissioner for Differently Abled,
Commissioner for the Welfare of the Differently Abled,
No.5, Kamarajar Salail, Lady Wellington College Campus,
Chennai - 600 005.
 3. The Commissioner, Corporation of Chennai,
Rippon Buildings, Chennai - 600 003.
- + 1 cc to Mr.N. Suriyamuthu,AdvocateSr.23838
+1 cc to Government Pleader Sr.24318

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RK(CO)

EU(18/04/2018)