

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 02.04.2018

CORAM

THE HONOURABLE MR. JUSTICE K.KALYANASUNDARAM

WP.No.7499 of 2018

M.Mahalakshmi

...Petitioner

Vs.

1. The District Collector,
Thiruvallur Collectorate Buildings,
Thiruvallur.
2. The State Commissioner for
Differently Abled,
Commissionerate for the Welfare of the
Differently Abled,
No.5, Kamarajar Salai,
Lady Wellington College Campus,
Chennai - 600 005.
3. The Commissioner,
Chennai Corporation,
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 to consider and grant permission to set up a permanent licensed shop on the Mogappair West location based on the petitioner representation dated on 20.10.2017.

For Petitioner :Mr.N.Suriyamuthu

For Respondents:Mr.V.Shanmuga Sundar, Spl.G.P.
(for RR1 & 2)

Mr.T.C.Gopalakrishnan, Standing Counsel
(for R3)

ORDER

Mr.V.Shanmuga Sundar, learned Special Government Pleader takes notice for the respondents 1 and 2 and Mr.T.C.Gopalakrishnan, learned Standing Counsel takes notice for the 3rd respondent. By consent, the Writ Petition is taken up for final hearing at the admission stage itself.

2. The petitioner has come up with the present Writ Petition seeking direction to the respondents to consider and grant permission to set up a permanent licensed shop in the Mogappair West location based on her representation dated on 20.10.2017.

3. According to the petitioner, she belongs to Schedule Caste community and she is having a permanent disability to an extent of 60%. Though she had successfully completed Diploma in Electronics & Communication Engineering, she could not get job and she is running a business in Push Cart.

4. The learned counsel for the petitioner submitted that the petitioner gave a representation to the respondents on 20.10.2017 seeking permission to establish a permanent bunk shop. Since it was not considered, the present Writ Petition.

5. The learned Standing Counsel for the 3rd respondent submitted that the petitioner has not submitted any representation / application seeking permission to establish a bunk shop and if an application is given to the Vending Committee, it would be considered in accordance with law.

6. In reply, the learned counsel for the petitioner submitted that the petitioner is ready to give fresh representation to the Vending Committee seeking permission to establish a bunk shop.

7. 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 such receipt, the Vending Committee shall consider the same and pass appropriate orders, on merits and in accordance with law, within a period of eight weeks therefrom, after providing an opportunity of hearing to the petitioner.

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

Sd/-
Assistant Registrar (CS-IX)

//True Copy//

Sub Assistant Registrar

pvs

To

1. The District Collector,
Thiruvallur Collectorate Buildings,
Thiruvallur.
2. The State Commissioner for Differently Abled,
Commissionerate for the Welfare of the Differently Abled,
No.5, Kamarajar Salai, Lady Wellington College Campus,
Chennai - 600 005.
3. The Commissioner,
Chennai Corporation,
Rippon Buildings,
Chennai - 600 003.
4. The Vending Committee Corporation of Chennai.
Rippon Buildings, Chennai-3.

+ 1 cc to Mr. N.Suriyamuthu, Advocate Sr.24117
+ 1 cc to Mr. T.C. Gopalakrishnan, Advocate Sr.24250
+ 1 cc to Government Pleader Sr.24860

सत्यमेव जयते

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RJ (CO)
EU (18/04/2018)

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