

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 19.04.2018

CORAM

THE HONOURABLE MR.JUSTICE K.KALYANASUNDARAM

W.P No.7908 of 2018

M.P.Baskar

..Petitioner

Vs

1.The State Commissioner for
Differently Abled,
O/o. State Commissioner for Differently Abled,
Nehru Inner Ring Road,
K.K.Nagar, Chennai - 600 078.

2.The Commissioner,
Corporation of Chennai,
Rippon Buildings,
Chennai - 600 003.

.. Respondents

Prayer: The Writ Petition is filed under Article 226 of the Constitution of India, seeking issuance of writ of mandamus directing the 2nd respondent not to disturb the running of the petitioner's shop situated at No.17, Padmalaya Tower Opposite, T.V.H.Corner near, M.R.C.Nagar, Chennai - 600 028, by selling coffee, tea and allied food items till final decision is taken by the Town Vending Committee.

For Petitioner : Mr.Pitty Parthasarathy

For Respondents : Mr.B.Anand
Government Advocate for R1

Mr.T.C.Gopalakrishnan
Standing Counsel for R2

O R D E R

The prayer sought for in this writ petition is for issuance of a writ of mandamus, directing the second respondent not to disturb the running of the petitioner's bunk shop situated at No.17, Padmalaya Tower Opposite, T.V.H.Corner near,

M.R.C.Nagar, Chennai - 600 028, till final decision is taken by the Town Vending Committee.

2. Heard Mr.Pitty Parthasarathy, learned counsel for the petitioner and Mr.B.Anand, learned Government Advocate appearing for the first respondent and Mr.T.C.Gopalakrishnan, learned Standing Counsel appearing for the second respondent.

3.The learned counsel for the petitioner submitted that petitioner is is a physically challenged person having disability of 80% and he is running a small bunk shop at No.17, Padmalaya Tower Opposite, T.V.H.Corner near, M.R.C.Nagar, Chennai. It is further submitted that the petitioner has given a representation to the second respondent on 13.06.2016, requesting to grant licence to his bunk shop and the same was not considered. Hence, the petitioner has filed a petition in W.P.No.22828 of 2016, wherein this Court by an order dated 05.04.2017, directed the second respondent - Chennai Corporation, to consider the representation of the petitioner. Pursuant to the order of this Court, the second respondent had referred the petitioner's representation to the Vending Committee. When the representation is pending for consideration, the respondents have attempted to remove the bunk shop. Hence, the present writ petition.

4. The learned Standing counsel appearing for the second respondent submitted that pursuant to the order dated 27.06.2017, passed by the Division Bench of this Court in W.P.No.16009 of 2017, all the bunk shops in M.R.C.Nagar have been removed and that the application of the petitioner would be considered in accordance with law.

5. Recording the submission made by the learned Standing counsel for the second respondent, this writ petition is closed. However, there shall be no order as to costs.

Sd/-

Asst.Registrar (Audit)

/true copy/

Sub Asst. Registrar

ms

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To

1.The State Commissioner for
Differently Abled,
O/o. State Commissioner for Differently Abled,
Nehru Inner Ring Road,
K.K.Nagar, Chennai - 600 078.

2.The Commissioner,
Corporation of Chennai,
Rippon Buildings,
Chennai - 600 003.

+1cc to Mr.Pitty Parthasarathy, Advocate, sr.no.30119

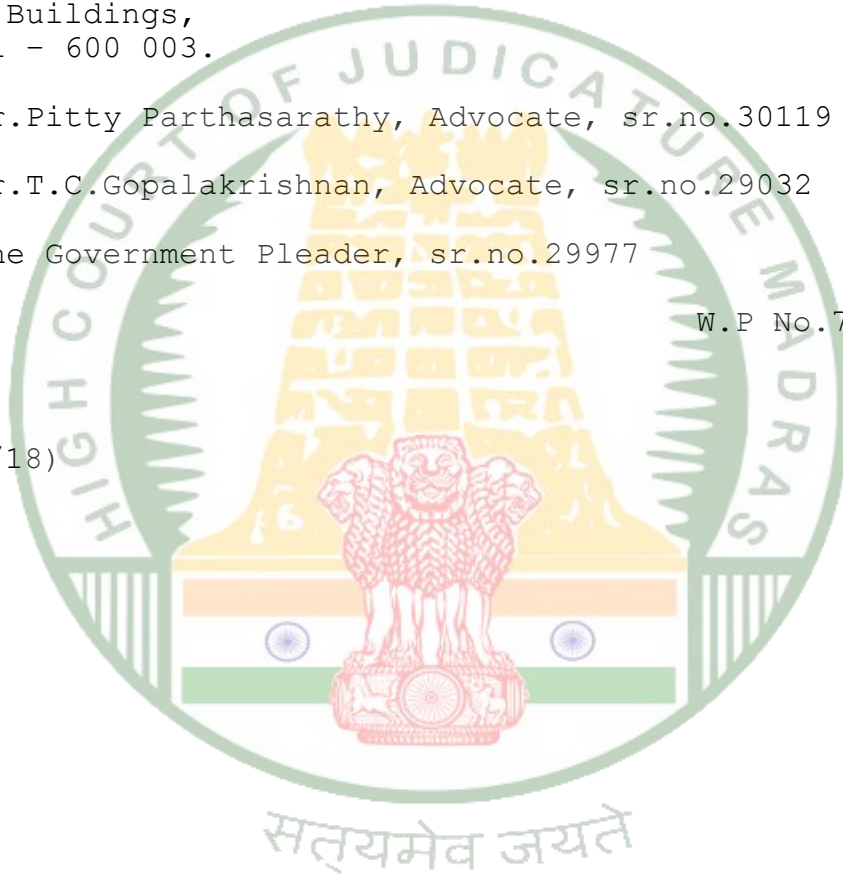
+1cc to Mr.T.C.Gopalakrishnan, Advocate, sr.no.29032

+1cc to the Government Pleader, sr.no.29977

W.P No.7908 of 2018

MP (CO)

RRK (29/05/18)



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