

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 03.05.2018

CORAM

THE HONOURABLE DR.JUSTICE G.JAYACHANDRAN

Writ Petition No.11737 of 2018

A.P.Rajasekaran

.. Petitioner

/versus/

1.The Commissioner,
Corporation of Chennai,
Rippon Building, Chennai 600 003.

2.The Commissioner of Police,
Vepery, Chennai 600 007.

.. Respondents

Writ Petition is filed under Article 226 of Constitution of India praying to issue a Writ of Mandamus directing the 1st respondent to dispose of the petitioner's representation dated 05.01.2018 including vending committee constituted by the 1st respondent for grant licence continue to run the petty shop and till such time, forbear the 1st respondent from in any manner interfering with the running of petitioner bunk shop at EVK Sampath Salai by the side of No.63, near by No.67 main gate, Private Building Opp.Axis Bank, Vepery, Chennai-600 007, selling tea, coffee, snaks, sandwich and fresh juice (measuring about 8 x 6).

For Petitioner :M/s.P.S.Mercy Gnanammal

For Respondent:Mr.R.Arunmozhi, Standing Counsel

No.1 for Chennai Corp.

For R2 :Mr.V.Kathirvelu

Special Government Pleader

WEB COPY
O R D E R

The prayer in the writ petition is to issue a Writ of Mandamus directing the 1st respondent to dispose of the petitioner's representation dated 05.01.2018 including vending committee constituted by the 1st respondent for grant licence continue to run the petty shop and till such time, forbear the 1st respondent from in any manner interfering with the running of petitioner bunk shop at EVK Sampath Salai by the side of No.63, near by No.67 main gate, Private Building Opp.Axis Bank,

Vepery, Chennai-600 007, selling tea, coffee, snacks, sandwich and fresh juice (measuring about 8 x 6).

2. The petitioner herein submits that he is running a petty shop at EVK Sampath Salai by the side of No.63, near by No.67 main gate, Private Building Opp.Axis Bank, Vepery, Chennai-600 007 for the past 20 years and it is the only source of income for his family. Under this circumstances, he has given a representation dated 05.01.2018 to the 1st respondent the Commissioner of Chennai Corporation to permit him to run the petty shop without being disturbed.

3. In support of the writ petition, the learned counsel appearing for the petitioner would submit that a request for carrying on business in the platform has to be considered by the Vending Committee Constituted by the 1st respondent. In a similar circumstances, this Court in W.P.No.23278 of 2017 has directed the first respondent viz., the Commissioner of Corporation of Chennai to consider the representation and pass appropriate order within the period of 3 months. Similar order may be passed in this petition.

4. The learned Standing Counsel appearing for the respondents would submit that if any such representation is sent, it will be considered as per the guidelines. However, the petitioner cannot claim as a matter of right to carry on business in the platform meant for public.

5. From perusal of the typed set of papers that the representation dated 05.01.2018 addressed to the first respondent the Commissioner of Chennai Corporation is found. There is not evidence to show that such representation was sent to the Commissioner and the same was received by the Commissioner. If any such representation received by the first respondent, Commissioner of Chennai Corporation, he shall dispose it of in accordance with law within the reasonable time.

6. With the above direction, this Writ Petition is disposed of. No costs.

s/d-

Assistant Registrar/Vacation officer

True Copy

Sub-Assistant Registrar

ari

To

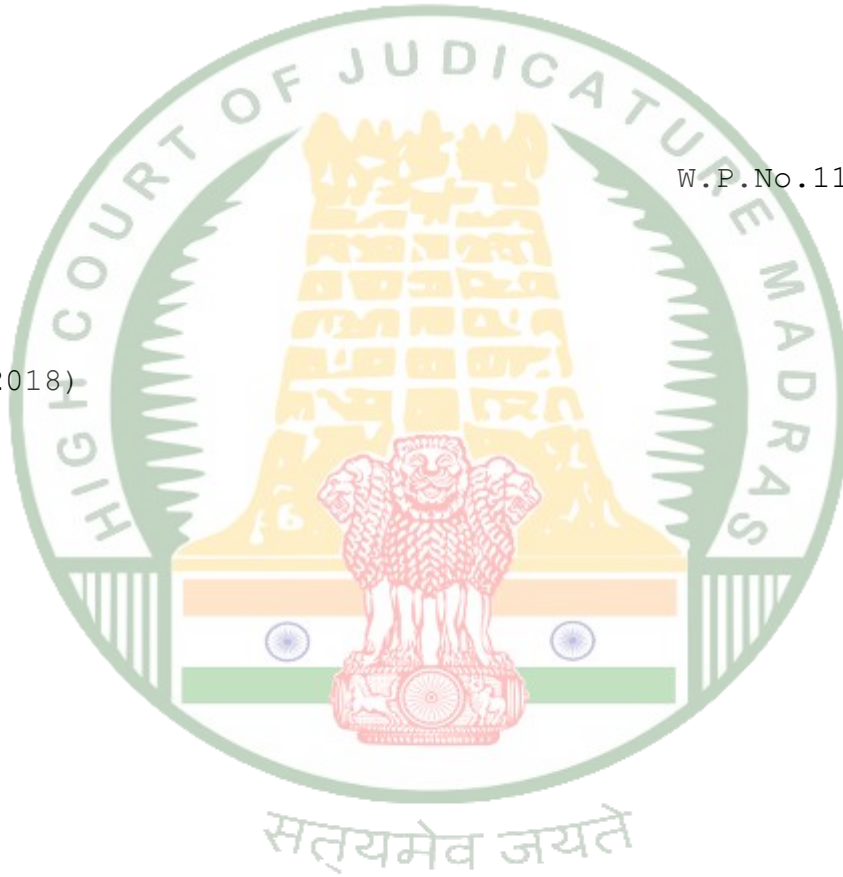
1.The Commissioner,
Corporation of Chennai,
Rippon Building, Chennai 600 003.

2.The Commissioner of Police,
E.V.R.High Road,
Chennai 600 007.

+1 CC to Mr.N.A.Sadique, Advocate sr 33048.

W.P.No.11737 of 2018

NRL (CO)
SP (08/05/2018)



WEB COPY