

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 04.07.2018

CORAM

THE HONOURABLE Mr.JUSTICE K.KALYANASUNDARAM

W.P.No.16526 of 2018

A.Kalyani

..Petitioner

Vs

1. The Commissioner,
Corporation of Chennai,
Rippon Building,
Chennai - 600 003.
2. The Zonal Officer,
Zone-X, K.K.Nagar,
Chennai.

..Respondents

Prayer:- Writ Petition is filed under Article 226 of the Constitution of India, seeking for a Writ of Mandamus to direct the 1st and 2nd respondent to permit the petitioner to reinstall the bunk at the petitioner place allotted by the Corporation of Chennai at K.K.Nagar, Kamarajar Salai, Opposite to Nagathamman Koil.

For Petitioner : M/s.K.Gokulam

For Respondents : Mr.V.C.Selvasekaran,
Standing Counsel

ORDER

Mr.V.C.Selvasekaran, learned Standing Counsel takes notice for the respondents. By consent of the learned counsel appearing for the parties, the writ petition is taken up for final hearing.

2. The case of the petitioner is that she belongs to Hindu Arunthathiyar Community and her husband Anandhan was a cobbler and he was having a shop at Kamarajar Street, opposite to Nagathamman Koil in K.K.Nagar, Chennai. The petitioner's husband is the only breadwinner of the family and he passed away on 06.05.2015 and thereafter, with the help of her elder son, she was continuing the business. While so, on 02.02.2018, the officials of the second respondent demolished the bunk and thrown out all the things belonging to the petitioner.

3. The petitioner would further state that she is a physically challenged lady and she is suffering with three daughters and two sons. Hence, she gave a representation dated 28.02.2018, seeking permission from the respondents to run the business in the same place.

4. The learned counsel for the petitioner submitted that the petitioner would be satisfied, if a direction is issued to the second respondent to consider the representation of the petitioner.

5. The learned Standing Counsel for the respondents submitted that the representation of the petitioner would be considered in accordance with law.

6. In the light of the above submissions and also considering the facts of this case, this Court, without going into the merits, directs the second respondent to consider the application / representation of the petitioner dated 28.02.2018 and pass orders on merit and in accordance with law, after providing an opportunity of hearing to the petitioner, within a period of four weeks from the date of receipt of a copy of this order.

7. With the above direction, the writ petition is disposed of. No costs.

Sd/-

Assistant Registrar(CS-ix)

//True Copy//

Sub Assistant Registrar

pvs

To

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

2. The Zonal Officer,
Zone-X, K.K.Nagar,
Chennai.

+1cc to the Government Pleader, S.R.No.42961

+2cc to Mr.K.GOKULRAM, Advocate, S.R.No. 42961

(31/07/2018)

W.P.No.16526 of 2018

TR(13/07/2018)