

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED 11.07.2018
CORAM
THE HONOURABLE Mr.JUSTICE K.KALYANASUNDARAM

W.P.No.17032 of 2018
and W.M.P.No.20284 of 2018

S.Shanmugam

..Petitioner

Vs

1. The State Commissioner for Differently Abled,
O/o State Commissioner for Different Abled,
J.N.Ring Road,
Chennai - 600 078.
2. The Secretary to Government,
Local Administration Department,
Government of Tamilnadu,
Fort St.George, Chennai - 600 009.
3. 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 for a Writ of Mandamus to direct the 3rd respondent to consider the petitioner's representation dated 24.04.2018 for grant of license/permission to run bunk shop and pass orders and till such time forbear the 3rd respondent, their official, servant from in any manner interfering with the running of petitioner's bunk shop at Haddaws Road, opposite Sasthri Bhavan, Nungambakkam, Chennai - 600 034 by selling tea, coffee, food and other snacks.

For Petitioner : Mr.P.Surendran
For Respondents : Mr.V.Shanmuga Sundar,
Spl.G.P., for RR1 & 2
Mr.V.C.Selvasekaran,
Standing Counsel, for R3

ORDER

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

2. The prayer in this writ petition is for issuance of a writ of mandamus to direct the 3rd respondent to consider the petitioner's representation dated 24.04.2018 for granting licence to run bunk shop.

3. According to the petitioner, he is a physically challenged person having disability of 100%. He has been running a bunk shop at Haddows Road, opposite to Sasthri Bhavan, Nungambakkam, Chennai, for the past one year and the application given to the respondents for granting licence was not considered. Hence the present petition.

4. The learned Standing Counsel for the third respondent submitted that the latest inspection conducted by the respondents would reveal that the petitioner is not running the business as alleged in the affidavit and a photo has been produced for perusal of this Court.

5. It is further submitted that the Zonal Officer, Zone-9, Chennai Corporation is the Chairman of the Vending Committee. If the petitioner gives a representation to the said Committee, the same would be considered in accordance with law.

6. In the light of the submission of the learned Standing Counsel for the respondent, this Court, without going into the merits of the case, directs the petitioner to give an application to the Vending Committee, within a period of two weeks from the date of receipt of a copy of this order, by enclosing a copy of this order. On such compliance, the Zonal Officer, Zone-9, Chennai Corporation, shall consider the representation of the petitioner and pass appropriate orders within a period of twelve 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. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar(CS IV)

//True Copy//

Sub Assistant Registrar

pvs

To

1. The State Commissioner for Differently Abled,
O/o State Commissioner for Different Abled,
J.N.Ring Road,
Chennai - 600 078.

2. The Secretary to Government,
Local Administration Department,
Government of Tamilnadu,
Fort St.George, Chennai - 600 009.

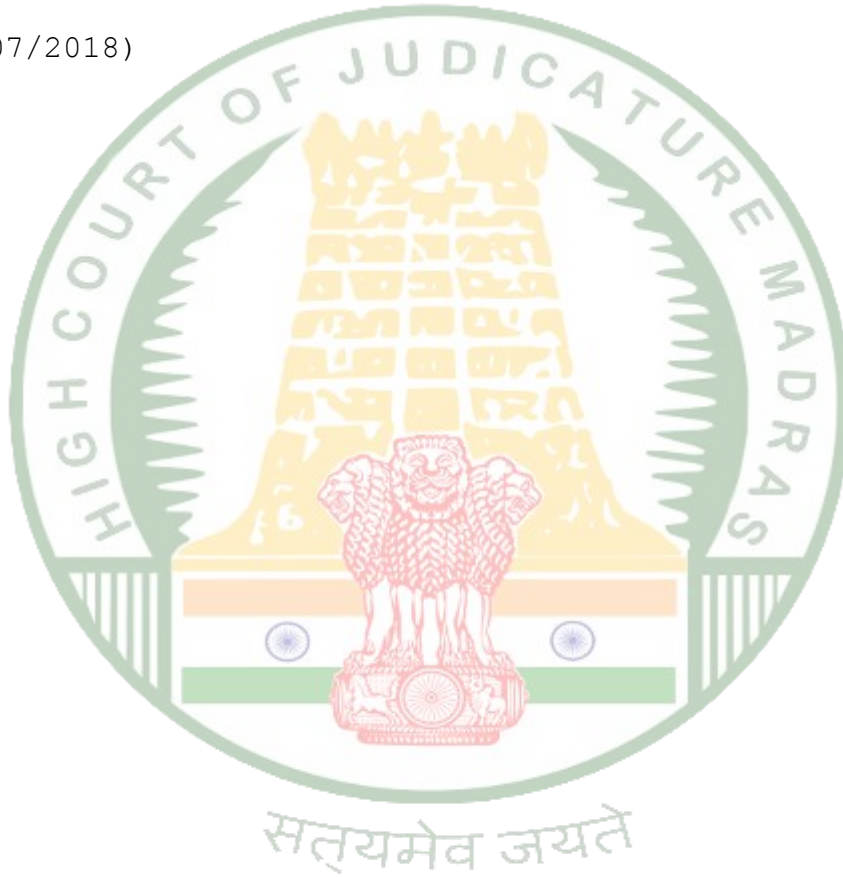
3. The Commissioner,
Corporation of Chennai,
Rippon Buildings,
Chennai - 600 003.

+1cc to Mr.P.Surendran, Advocate, S.R.No.46062

+1cc to the Government Pleader, S.R.No.45763

W.P.No.17032 of 2018

GJ(CO)
GSP(27/07/2018)



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