

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 16.07.2018

CORAM

THE HONOURABLE MR. JUSTICE K.KALYANASUNDARAM

W.P.No.17455 of 2018

M.Madheeshwaran

... Petitioner

Versus

1.The Special Commissioner,
For Handicapped,
Office of the State Commissioner of Disabled
No.15/1, Model School Road,
Thousand Lights, Chennai-600 006.

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

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

... Respondents

PRAYER: Writ Petition filed under Article 226 of The Constitution of India praying to issue a writ or order or direction, particularly in the nature of writ of Mandamus directing the 2nd respondent to dispose of the petitioner's representation dated 28.02.2018 including vending committee constituted by the 2nd respondent for grant licence continue to run the petty shop and till such time, forbear the 2nd respondent from in any manner interfering with the running of the petitioner's bunk shop at Jawaharlala Nehru Road, by the side of SRM Private Bus Terminus, Opp.Sangeetha Hotel, 100 feet road, Koyambedu, Chennai-107, selling Tea, Coffee, snacks and fast food (measurement about 8 x 6).

For Petitioner : Mr.N.A.Sadique

For Respondents: Mr.V.Shanmugasundar
Special Government Pleader for R1

Mr.V.C.Selvasekaran for R2

ORDER

Heard Mr.N.A.Sadique, learned counsel for the petitioner and Mr.V.Shanmugasundar, learned Special Government Pleader for

respondents 1 and 3 and Mr.V.C.Selvasekaran, learned Standing counsel for the 2nd respondent and perused the materials, available on record.

2 The petitioner has come up with this writ petition seeking for issuance of a writ of mandamus directing the 2nd respondent to dispose of his representation dated 28.02.2018 by the Vending Committee constituted by the 2nd respondent for grant license to continue to run the petty shop and till such time, forbear the 2nd respondent from in any interfering with the running of the petitioner's bunk shop at Jawaharlala Nehru Road, by the side of SRM Private Bus Terminus, Opp.Sangeetha Hotel, 100 feet road, Koyambedu, Chennai-107, selling Tea, Coffee, snacks and fast food (measurement about 8 x 6).

3 The learned counsel appearing for the petitioner would submit that it is suffice, if a direction is issued to the respondents to consider and dispose of the representation submitted by the petitioner on 28.02.2018.

4 The learned Standing Counsel appearing for the 2nd respondent would submit that the application of the petitioner can be considered only by Zonal Officer, Zone V, Corporation of Chennai and the petitioner has not submitted any representation to the Chairperson, Town Vending Committee for consideration.

5 In the light of the limited scope of prayer sought for by the petitioner and also the submission of the learned counsel on either sides, this Court, without going into the merits, directs the petitioner to give a fresh representation to the Zonal Officer, Zone V, Corporation of Chennai within a period of two weeks from the date of receipt of copy of this order by enclosing a copy of this order and after such compliance, the same shall be considered by the Committee in accordance with law.

6 The writ petition is disposed of with the above observation. No costs.

-s/d-

Assistant Registrar (CS-IX)

True Copy

Sub-Assistant Registrar

sk

To

1.The Special Commissioner,
For Handicapped,
Office of the State Commissioner of Disabled
No.15/1, Model School Road,
Thousand Lights, Chennai-600 006.

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

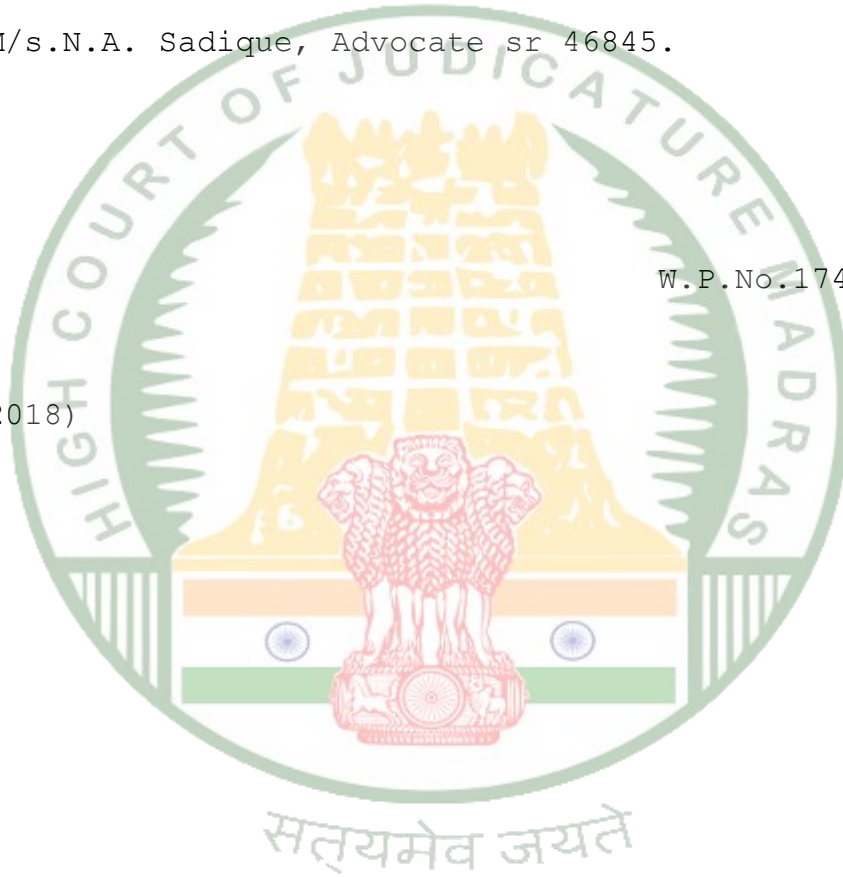
3.The Commissioner of Police,
E.V.R.High Road,
Chennai-600 007.

4. The Zonal officer
Zone V, Corporation of Chennai
Chennai.

+1 CC to M/s.N.A. Sadique, Advocate sr 46845.

W.P.No.17455 of 2018

SP(30/07/2018)



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