

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 03.08.2018

CORAM

THE HONOURABLE MR.JUSTICE K.KALYANASUNDARAM

WP.No.19853 of 2018

T.Ellammal

...Petitioner

Vs.

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

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

...Respondents

PRAYER:

Writ petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus to direct the 2nd respondent to consider and pass orders on the petitioner's representation dated 09.07.2018 for grant of license / permission for running the bunk shop at Janaki Avenue, TVH Belicia Tower, R.A.Puram, Chennai-28 or at South Canal Bank Road, nearby Alphonsa Ground, R.A.Puram, Chennai - 28 or at any other place in and around R.A.Puram, Chennai-28 for selling tea, coffee and other items along with caretaker.

For Petitioner : Mr.K.Raja

For Respondents : Mr.V.Shanmuga Sundar,
Spl.G.P., for R1
Mr.V.C.Selvasekaran, for R2

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ORDER

Heard the learned counsel for the petitioner, the learned Special Government Pleader for the first respondent and the learned Standing Counsel for the second respondent and perused the materials available on record.

2. This writ petition has been filed seeking direction to

the second respondent to consider and pass orders on the representation of the petitioner dated 09.07.2018.

3. According to the petitioner, she is a physically challenged person and she was running a bunk shop in MRC Nagar, Chennai 28 for the past several years. The officials of the second respondent interfered with her business, hence, on 04.06.2018, she gave a representation to the second respondent to grant licence and filed WP.No.15730 of 2018 for issuance of mandamus. The petitioner would state that the writ petition was dismissed as withdrawn with liberty to approach the respondents for allotment of shop meant for disabled in any other place.

4. According to the petitioner, she gave a representation to allot the shop in any other place on 09.07.2018, but it was not considered. Hence, the present writ petition.

5. The learned Standing Counsel for the second respondent submitted that the officials of the Chennai Corporation have recently removed encroachment in that area and the petitioner's application for issuance of licence in R.A.Puram, Chennai 28 cannot be considered, in view of the directions issued by the First Bench of this Court.

6. Perusal of the representation of the petitioner, dated 09.07.2018 would reveal that the petitioner seeks permission to put up a bunk shop at Janaki Avenue, TVH Belicia Tower, R.A.Puram, Chennai or at South Canal Bank Road nearby Alphonsa Ground, R.A.Puram or any other place in and around R.A.Puram, Chennai 28. As rightly contended by the learned Standing Counsel, the representation seeking licence in and around R.A.Puram cannot be considered.

7. In the light of the above facts, this Court is of the considered opinion, that the petitioner is not entitled for the relief sought for in this writ petition. Accordingly, the writ petition is dismissed with liberty to the petitioner to give a representation, seeking permission to have a bunk shop in any other place in Chennai. No costs.

Sd/-

Assistant Registrar(Audit)

//True Copy//

Sub Assistant Registrar

pvs

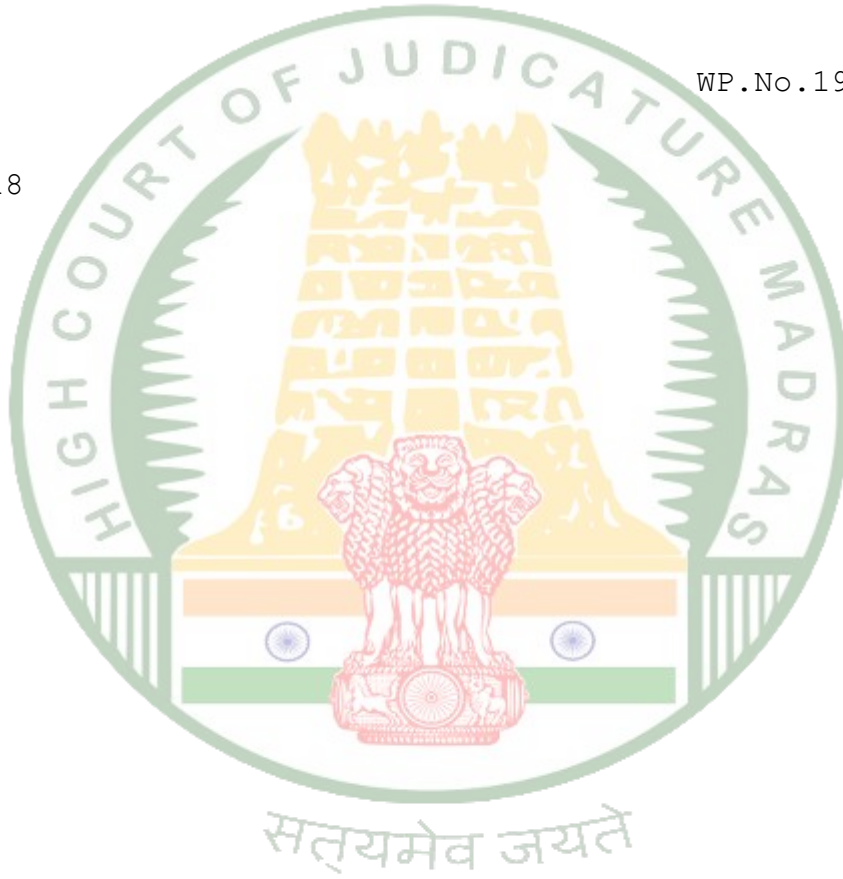
To

1. The State Commissioner for Differently Abled,
O/o State Commissioner for Differently Abled,
J.N.Ring Road, Chennai 600 078.
2. The Commissioner,
Corporation of Chennai,
Rippon Buildings,
Chennai - 600 003.

+1cc to Mr.K.Raja, Advocate, S.R.No.53496

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KAN(CO)
CS/05/09/18



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