

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 26.02.2019

CORAM

THE HONOURABLE MR.JUSTICE D.KRISHNAKUMAR

W.P.No.3353 of 2019

D.Raja

...Petitioner

Vs

- 1.The Secretary
Department of Municipal Corporation
Fort St.George,
Chennai-600 009.
- 2.The Special Commissioner for Handicapped
Office of the State Commissioner of Disabled
No.15/1, Model School Road
Thousand Lights, Chennai-600 006.
- 3.The Commissioner,
Corporation of Chennai,
Ripon Building,
Chennai-600 003.
- 4.The Divisional Engineer,
Highways and Rural Works Department
Saidapet, Chennai-600 035.
- 5.The Assistant Divisional Engineer,
Velacherry Division,
Velacherry, Chennai-600 043.
- 6.The Commissioner of Police,
E.V.R.High Road,
Chennai-600 007.
- 7.The Chairperson Vendors Committee
Corporation of Chennai,
Zone-13, Adyar Jt.Commissioner's Office
Adyar, Chennai-600 020.
(R7 impleaded as per order passed by this
Court in W.M.P.No.6119 of 2019 in
W.P.No.3353 of 2019).

...Respondents

Petition filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Mandamus directing the third respondent to dispose of the petitioner's representation dated 30.10.2018 including Vending Committee constituted by the third respondent for grant of license to continue to run the petty shop and till such time, forbear the fourth and fifth respondents from in any manner interfering with the running of the petitioner's bunk shop at Radial 200 feet road, by the side of Kamatchi Memorial Hospital, Pallikaranai, Chennai-600 100, selling tea, coffee allied fast foods (measurement of about 8 x 6).

For Petitioner : Mr.A.M.Ravichandran

For Respondents: Mr.B.Anand, Government Advocate
for R1, R2 and R4 to R6

Mrs.Karthika Ashok for R3 and R7

ORDER

By consent of the learned counsel on either side, the writ petition is taken up for final disposal.

2.According to the petitioner, the petitioner made a representation dated 30.10.2018 to the third respondent for granting permission / certificate of vending for his bunk shop in the Radial 200 feet Road, Pallikaranai, Chennai, wherein tea, coffee and food items are sold. Since the said representation has not been considered, he has come up with the present writ petition.

3.When this writ petition came up before this Court on 12.02.2019, at the request of the learned counsel for the petitioner, the matter was adjourned for a period of two weeks, to implead the Vending Committee as a party respondent in the writ petition. Accordingly, W.M.P.No.6119 of 2019 has been filed to implead the Committee and it has been ordered by this Court.

4.Mrs.Karthika Ashok, learned Standing Counsel for the Corporation of Chennai, took notice for the respondents 3 and 7 and submitted that the petitioner may be directed to submit a fresh representation to the seventh respondent Committee, to enable the seventh respondent to consider the same and pass appropriate orders.

5.Since the petitioner has not made any representation to the seventh respondent Committee, it is open to the petitioner to make a fresh representation to the seventh respondent, within

a period of two weeks from the date of receipt of a copy of this order. If any such representation is received by the seventh respondent, the same shall be considered on merits and in accordance with law, and appropriate orders be passed, within a period of six weeks from the date of its receipt.

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

-s/d-

Assistant Registrar (CS-IV)

True Copy

Sub-Assistant Registrar

KM

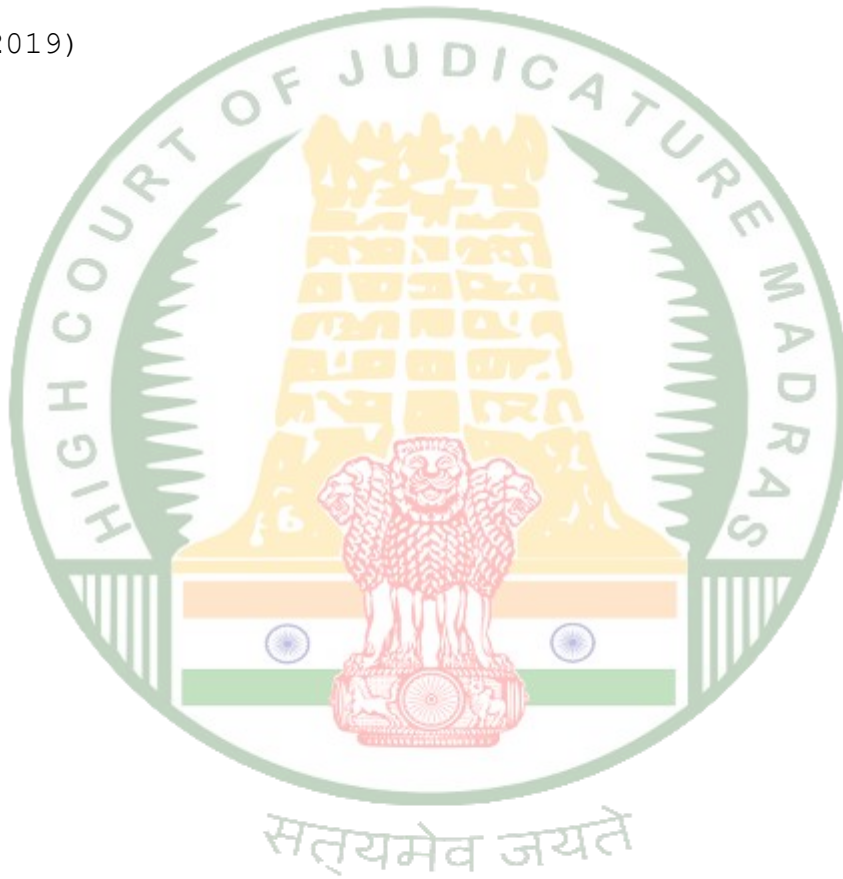
To

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- 5.The Assistant Divisional Engineer,
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Velacherry, Chennai-600 043.
- 6.The Commissioner of Police,
E.V.R.High Road,
Chennai-600 007.
- 7.The Chairperson Vendors Committee
Corporation of Chennai,
Zone-13, Adyar Jt.Commissioner's Office
Adyar, Chennai-600 020.

+1 CC to Mr.N.A. Sadique, Advocate sr 18622.
+1 CC to Mr.Karthikeyan, advocate sr 17683.
+1 CC to Govt. Pleader sr 18194.

W.P.No.3353 of 2019
and
W.M.P.No.6119 of 2019

AD (CO)
SP (08/03/2019)



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