

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 20.03.2019

CORAM

THE HONOURABLE Mr.JUSTICE D.KRISHNAKUMAR

W.P.No.7823 of 2019

Anusuya

... Petitioner

Vs.

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 Chair Person,
Zone V, Street Vending Committee,
Corporation of Chennai,
Chennai - 600 021.

... Respondents

Prayer :- This Writ Petition is filed under Article 226 of the Constitution of India, seeking for issuance of Writ of Mandamus, directing the third respondent to dispose of the petitioner's representation dated 30.10.2018, including vending committee constituted by the second respondent for grant license continue to run the petty shop and till such time, forbear the second respondent from in any manner interfering with the running of petitioner's bunk shop at Wannells Road, by the side of Anderson Church, Opp. M.T.C. Bus Terminus (Egmore Railway Station), Egmore, Chennai - 8, selling tea, coffee, snacks, sandwich and fresh juice (measuring about 8 x 6).

For Petitioner

: Mr.A.M.Ravichandran

For Respondents : Mr.B.Anand
Government Advocate for R1

Mrs.Karthiga Ashok
Standing Counsel for R2

Mr.Saravanan for R3

O R D E R

Mr.B.Anand, learned Government Advocate takes notice for the first respondent; Mrs.Karthiga Ashok, learned Standing Counsel takes notice for the second respondent; Mr.Saravanan, learned counsel takes notice for the third respondent. By consent, this Writ Petition is taken up for final disposal at the admission stage itself.

2. The prayer in the Writ Petition is for issuance of Writ of Mandamus, directing the third respondent to dispose of the petitioners' representation dated 30.10.2018, including Vending Committee constituted by the second respondent for granting license and continue to run the petty shop and till such time, forbear the second respondent from in any manner interfering with the petitioners' bunk shop.

3. The learned counsel for the petitioner would submit that the petitioner would be satisfied, if a direction is given to the respondents to consider the representation of the petitioner.

4. The learned Standing counsel appearing for the respondents submitted that the respondents are ready to consider the representation of the petitioner in accordance with law.

5. In the light of the submissions made by the learned counsel on either side and also considering the limited scope of prayer sought for in this writ petition, this Court, without going into merits of the case, directs the third respondent to consider the representation of the petitioner dated 30.10.2018, and pass orders on merits and in accordance with law, after providing an opportunity to all necessary parties, within a period of eight weeks from the date of receipt of a copy of this order.

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

Sd/-
Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

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 Chair Person,
Zone V, Street Vending Committee,
Corporation of Chennai,
Chennai - 600 021.

+1 cc to The Government Pleader, Sr.No.27458

+1 cc to M/s.A.M.Ravichandran for Mr.N.A.Sadique, Advocate
SR.No.26659

+1 cc to M/s.Karthiga Ashok, Advocate Sr.No.26128

सत्यमेव जयते

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CSL/27.03.2019

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