

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 27.03.2019

CORAM

THE HONOURABLE Mr.JUSTICE D.KRISHNAKUMAR

W.P.No.9170 of 2019 &
W.M.P.No.9717 of 2019

Suresh

... Petitioner

Vs.

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

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

3.The Chairman,
Street Vending Committee,
Zone-9, Chennai Corporation Office,
No.8, Lake Area, Nungambakkam,
Chennai - 34.

... Respondents

Prayer:- The Writ Petition is filed under Article 226 of the Constitution of India, seeking for issuance of Writ of Mandamus, directing the second and third respondents to consider the petitioner's representation dated 20.03.2019 for grant of license / permission to run petty shop and pass orders and till such time forbear the second respondent, their official, servant from in any manner interfering with the running of petitioner's petty shop at P.V.Cheriyar Road, near Ethiraj College, Indian Bank Gate, Chennai-8, by selling food and other snacks.

For Petitioner : Mr.P.Surendran

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

Mrs.Karthika 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.Karthika 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.

2. The prayer in the Writ Petition is for issuance of Writ of Mandamus, directing the respondents 2 and 3 to dispose of the petitioner's representation dated 20.03.2019 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 petitioner's petty shop.

3. The learned Standing Counsel appearing for the Corporation would submit that the petitioner made application only on 20.03.2019 and without waiting for reasonable time to consider the representation of the petitioner, rushed to the Court immediately and hence prays for the relief sought for by the petitioner, at this stage, cannot be given.

4. Considering the above submission made by the learned Standing Counsel appearing for the Corporation, at this juncture, this Court cannot give direction to the respondents 2 and 3 to dispose of the petitioner's representation within a time frame, as the petitioner sent representation only on 20.03.2019. However, considering the facts and circumstances of the case, the third respondent-Vending Committee is directed to consider the representation submitted by the petitioner, dated 20.03.2019, as expeditiously as possible, on merits and in accordance with law.

5. With the above direction, the Writ Petition is disposed of. There is no order as to costs. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar(J)

//True Copy//

Sub Assistant Registrar

r n s

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 M/s.Karthikaa Ashok, Advocate, S.R.No.29685
+1cc to the Government Pleader, S.R.No.
+1cc to Mr.P.Surendran, Advocate, S.R.No.29517

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AR J(CO)

RRS (24/04/2019)



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