

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 03.03.2020

CORAM :

THE HONOURABLE MR.JUSTICE N.KIRUBAKARAN
AND
THE HONOURABLE MRS.JUSTICE R.HEMALATHA

W.P.No.5003 of 2020
and
W.M.P. No. 5913 of 2020

Banupriya

... Petitioner

Vs

1. The Government of Tamil Nadu,
Rep. by the Secretary,
Local Administration Department,
Secretariat,
Fort St. George,
Chennai - 600 009.
2. The Commissioner,
Corporation of Chennai,
Ripon Building,
Park Town,
Chennai - 600 003.
3. The Chairman/Assistant Commissioner,
Town Vending Committee,
Zone - IX,
Corporation of Chennai,
Nungambakkam,
Chennai - 600 034.

... Respondents

PRAYER : Writ Petition filed under Article 226 of the Constitution of India praying for issuance of Writ of Mandamus, directing the 2nd Respondent and his officials, servants from in any manner interfering with the running of Petitioner's bunk shop at No. 770, Binny Road, near Dev Tower, Ward No. 111, Division 24, Zone - IX, Egmore, Chennai - 600 008, pending consideration of Petitioners representation dated 12.02.2020 by the 3rd Respondent Town Vending Committee.

For Petitioner : M/s. Saliha Begum

For Respondents : Mr. P.S. Sivashanmuga Sundaram,
Special Government Pleader (for R1)
Mr. K. Raja Srinivas (for R2 and R3)

O R D E R

(Order of the court was made by N.KIRUBAKARAN.J.,)

The Petitioner has come before this Court seeking a Writ of Mandamus, directing the Second Respondent and his officials, servants from in any manner interfering with the running of Petitioner's bunk shop at No. 770, Binny Road, near Dev Tower, Ward No. 111, Division 24, Zone - IX, Egmore, Chennai - 600 008, pending consideration of Petitioner representation dated 12.02.2020 by the Third Respondent Town Vending Committee.

2. Heard the learned Counsel for the Petitioner, Mr. P.S. Sivashanmuga Sundaram, learned Special Government Pleader appearing for the First Respondent and Mr. K. Raja Srinivas, learned Standing Counsel for the Second and Third Respondents.

3. The learned Counsel for the Petitioner would contend that the Petitioner has been running a bunk shop and she is an aged lady with disability. However, no documents have been filed except the disability certificate issued in the year 2012 and a photograph in which the Petitioner is standing near a bunk shop.

4. However, learned Standing Counsel appearing for the Second and Third Respondents would submit that there is no bunk shop at all as claimed by the Petitioner and the photograph produced before this Court has been taken only for the purpose of this case.

5. It is a usual modus for the parties to approach this Court with photographs as if they are running bunk shops and in fact, they will get orders from this Court and thereafter, they will start running shops. Taking into consideration of the facts and circumstances of the case and in the absence of documents,

this Petition is dismissed. Consequently, the connected Miscellaneous Petition is closed. No costs.

Sd/-
Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

To

1. The Secretary to the Government of Tamil Nadu,
Local Administration Department,
Secretariat,
Fort St. George,
Chennai - 600 009.

+1cc to Mr.S.Pushpakaran, Advocate, S.R.No.18792
+1cc to Mr.K.Rajasrinivas, Advocate, S.R.No. 19386
+1cc to Government Pleader, S.R.No.19268

W.P.No.5003 of 2020

VBA (CO)
KKV/17/07/2020



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