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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 23.11.2021

CORAM:

THE HONOURABLE MR.JUSTICE K.KALYANASUNDARAM
and
THE HONOURABLE MR.JUSTICE V.SIVAGNANAM

W.P.No.23884 of 2021

G.Mohan

...Petitioner

Vs.

- 1.Government of Tamil Nadu,
Rep. by Secretary to Government,
Welfare of Differently abled person,
(DAP-3.1) Dept. Secretariat,
Chennai - 600 009.
- 2.The State Commissioner for Differently abled,
No.5, Kamarajar Salai,
Lady Willington College Campus,
Chennai - 600 005.
- 3.The Block Development Officer,
Villivakkam Panchayat Union,
MTH Road, Ambattur,
Chennai - 600 053.
- 4.The Panchayat Secretary,
Vanagaram Panchayat,
Vanagaram, Chennai - 600 095.
- 5.G.Shankar

...Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Mandamus directing the respondents 1 and 2 to consider the representation dated 20.10.2020 of the petitioner to take necessary action against the abuse committed by 5th respondent.

For petitioner : Mr.G.Ponniakoti

For respondents : Mr.L.S.M.Hasan Fizal
Additional Government Pleader
(for R1 & R2)
Dr.S.Suriya
Govt. Counsel (for R3)



ORDER

(The Order of the Court was made by K.KALYANASUNDARAM, J)

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Heard Mr.G.Punniakoti, learned counsel for the petitioner, Mr.L.S.M.Hasan Fizal, learned Additional Government Pleader appearing for the respondents 1 and 2 and Dr.S.Suriya, learned Government Counsel appearing for the third respondent.

2.The petitioner has come up with this writ petition seeking for issuance of a Writ of Mandamus directing the respondents 1 and 2 to consider his representation dated 20.10.2020 within a time framed.

3.The petitioner claims to be a disabled person having disability of 80%. His daughter, by name, Selvi Jeyanthi is also disabled person. The grievance of the petitioner is that they are not able to use three wheeler cycle in the public road having 6 feet breadth and 300 meter length in Ward No.9, Tiruvallur First Cross Street. In this regard, a complaint was lodged with the respondents, but no action was taken.

4.When the matter is taken up for hearing today, the third respondent/Block Development Officer has filed a status report stating that on 13.11.2021, an inspection was conducted along with Assistant Engineer, Villivakkam Panchayat Union and Panchayat Secretary to Vanagaram Panchayat, in which, they found that the main entrance of the petitioner is located in Kamatchi Amman Nagar and the street is paved with cement road which is 24 feet and it is used by the public. The plot located in the back side of the petitioner's house belongs to one Sankar and patta was issued in his name. It is also stated that it is not a common pathway.

5.The status report filed by the third respondent is not seriously disputed by the petitioner.

6.In the light of the above fact, we find no merit in this writ petition. Hence, this writ petition fails and the same is dismissed. No costs.

Sd/-

Assistant Registrar(CS-IV)

//True copy//

Sub Assistant Registrar

skn



To

- 1.The Secretary to Government,
Welfare of Differently abled person,
(DAP-3.1) Dept. Secretariat,
Chennai - 600 009.
- 2.The State Commissioner for Differently abled,
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- 3.The Block Development Officer,
Villivakkam Panchayat Union,
MTH Road, Ambattur,
Chennai - 600 053.
- 4.The Panchayat Secretary,
Vanagaram Panchayat,
Vanagaram, Chennai - 600 095.

+1cc to Mr.G.Ponniakoti, Advocate SR.No.60380

+1cc to Government Pleader SR.No.60630, 61296

W.P.No.23884 of 2021

KSM(CO)
GMY(07/12/2021)