



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 04.03.2022

CORAM:

THE HONOURABLE MR.JUSTICE ABDUL QUDDHOSE

W.P. [MD]No.3983 of 2022

WEB COPY

M.Sankaralingam

... Petitioner

Vs.

1. The Special Commissioner,
for Handicapped,
Office of the State Commissioner of Disabled,
No.15/1, Model School Road,
Thousand Light, Chennai-600 006.

2. The Block Development Officer,
Block Development Office,
Sankarankoil Union,
Sankarankoil.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the 2nd respondent to consider the petitioner representations dated 12.05.2021 and 04.01.2022 for grant of license to continue to carry on the petitioner business in the petty shop within the time limit that may be stipulated by this Hon'ble Court.

For Petitioner
For Respondents

: Mr.K.Sankar
: Mr.M.Lingadurai
Special Government Pleader for R1
Mr.N.Ramesh Arumugam
Government Advocate for R2

O R D E R

This Writ Petition has been filed for a Mandamus seeking for a direction to the second respondent to consider the petitioner's representation dated 12.05.2021 and 04.01.2022 requesting for grant of license to run the petty shop at Kalappakulam Village near Achampatti Village Road Junction (Vilakku) and pass orders within a time frame to be fixed by this Court.

2.It is the case of the petitioner that he is having a petty shop in the aforementioned address. He has sought for license by submitting representations dated 12.05.2021 and 04.01.2022 with the respondents. He also claims that he is a physically handicapped person. Since the said representations have not been considered till date, he has filed this writ petition.

3.Heard Mr.K.Sankar, learned Counsel appearing for the petitioner, Mr.M.Lingadurai, learned Special Government Pleader who

<https://hcservices.ecourts.gov.in/hcservices/>



accepts notice for the first respondent and Mr.N.Ramesh Arumugam, learned Government Advocate, who accepts notice for the second respondent.

4.On instructions, learned Special Government Pleader for the first respondent would submit that it is not possible to grant license for the petitioner, as he wants to put up a petty shop in a public road. The said statement is recorded.

5.Being a physically challenged person, this Court is of the considered view that no prejudice would be caused to the respondents if the petitioner's representations dated 12.05.2021 and 04.01.2022 seeking for license to put up a petty shop in the aforementioned address is considered on merits and in accordance with law after affording a fair opportunity of hearing to the petitioner within a time frame to be fixed by this Court.

6.Accordingly, this Court directs the second respondent to consider the petitioner's representations dated 12.05.2021 and 04.01.2022, seeking for grant of license to the petitioner for running a petty shop at Kalappakulam Village near Achampatti Village Road Junction (Vilakku) and pass final orders within a period of twelve [12] weeks from the date of receipt of a copy of this order after affording a fair opportunity of hearing to the petitioner.

7.With the above direction, this Writ Petition stands disposed of. There shall be no order as to costs.

Sd/-

Assistant Registrar (AE)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

MR

NOTE: *In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.*



To

1. The Special Commissioner,
for Handicapped,
Office of the State Commissioner of Disabled,
No.15/1, Model School Road,
Thousand Light, Chennai-600 006.

2. The Block Development Officer,
Block Development Office,
Sankarankoil Union,
Sankarankoil.

+1 CC to M/s.SPL GP (SR-10333[F] dated 07/03/2022)

W.P.[MD]No.3983 of 2022
04.03.2022

SB(CO)
KB(17.03.2022) 3P 4C