



WEB COPY



Writ Petition No.1316 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated: 20/1/2023

C O R A M

THE HONOURABLE Mr.JUSTICE N. SATHISH KUMAR

Writ Petition No.1316 of 2023

a n d

W.M.P.No.1364 of 2023

Gopala Krishnan

...

Petitioner

Vs

1. The Commissioner
Corporation of Chennai
Rippon Buildings
Chennai 600 003.
2. The Divisional Officer
Corporation of Chennai, Zone 5
61 Basin Bridge Road
Old Washermenpet
Chennai 21.
3. The Junior Engineer
Corporation of Chennai, Zone 5
61 Basin Bridge Road
Old Washermenpet
Chennai 21.
4. The Chair Person
Town Vending Committee
Zone 5, 61 Basin Bridge Road
Old Washermenpet
Chennai 21.

...

Respondents



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PRAYER : Petition filed under Article 226 of the Constitution of India praying for the issuance of a writ of certiorarified mandamus to call for the records in respect of impugned order Ma.A.5/Na.Ka.No.A4/11822/2022 dated 10/10/2022 passed by the second and fourth respondents to give license/permission to the petitioner to run bunk shop at Andiapan Gramini Street, West Madha Church Street, Royapuram, Chennai 13.

For Petitioner ... Mr.D.Gopinathan

For respondents ... Mrs.P.T.Ramadevi

ORDER

By consent, the main writ petition is taken up for final disposal.

2. This writ petition has been filed to quash the order, dated 10/10/2022, made in Ma.A.5/Na.Ka.No.A4/11822/2022, passed by the second and fourth respondents to give license/permission to the petitioner to run bunk shop at Andiapan Gramini Street, West Madha Church Street, Royapuram, Chennai 13.



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3. The case of the petitioner is that he is a physically challenged person and was running a bunk shop in front of Royapuram Jamia Masjid, at Andiappan Gramini Street, West Madha Church Street, Royapuram, Chennai, for the past nine years. During the month of August 2022, the respondents had removed the bunk shop, without any notice. Hence the petitioner has made a representation, dated 22/8/2022 to the first respondent. Since the same has not been considered so far, the petitioner has come forward with the instant writ petition.

4. Heard Mr.D.Gopinathan, learned counsel for the petitioner.

5. The grievance of the petitioner is that instead of forwarding the representation of the petitioner to the fourth respondent, second and third respondents had rejected the same, vide, impugned order, dated 10/10/2022.

6. Mrs.P.T.Ramadevi, learned Standing Counsel takes notice for the respondents and submitted that Vending Committee has not been constituted. Once the Vending Committee is constituted, representation of the petitioner will be considered.



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7. Submission of the learned Standing Counsel appearing for the respondents is recorded.

8. Once the Vending Committee is formed, petitioner is directed to submit the representation. On such representation being made, the Vending Committee, shall consider the representation of the petitioner, and pass orders, on merits and in accordance with law, without any delay.

9. With the above direction, this writ petition is disposed of, at the admission stage itself. No costs.

20/1/2023

Index : Yes / No

Internet: Yes

Speaking/non speaking order

Neutral Citation: Yes/No

mvs.



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N. SATHISH KUMAR, J

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