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W.P.No.7737 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 14.03.2023

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THE HONOURABLE MR.JUSTICE **M.DHANDAPANI**

W.P.No.7737 of 2023

T.K.Rajan

...Petitioner

Vs.

1. Union of India,
Rep. by the Secretary,
Ministry of Railways,
Government of India, New Delhi.
2. Indian Railway Board,
Rep. by its Chairman,
Rail Bhavan, Raisina Marg,
New Delhi.
3. The Chief Commercial Manager,
Office of the Chief Commercial Manager,
(Claims, Catering & Multi Purpose Stall),
C.S.T. Mumbai-400 001.
4. The General Manager,
Commercial Division,
Southern Railways, Chennai-03.
5. Standing Committee Chairman of Railway Board,
Gandhi Complex, Station Road,
Motihari District, East Champaran,
Bihar - 845 401.



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6. The Chief Commissioner for Persons with Disabilities,
Social justice and Empowerment,
No.6, Sarojini House,
Bhagwan Das Road, Bhagwan Das Lane,
Mandi House, New Delhi.
 7. The Director General of Employment for persons with disability,
Ministry of Labour,
S.S.Bhawan, New Delhi.
 8. State Commissioner for persons with disability,
Tamil Nadu State,
No.5, Kamarajar Salai,
Lady Wellington College Campus,
Triplicane, Chennai-600 005.
- ...Respondents

Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the 4th respondent to consider the petitioner's representation as per the provisions of Disability Act 2016 and allot Multi Purpose stall in existing PCO booth in Tambaram Railway station (West Side).

For Petitioner : Mr.R.Subramanian

For Respondents : Mr.G.Babu, SPC
for Union of India

ORDER

The petitioner has filed this Writ petition seeking issuance of a Writ of Mandamus to direct the 4th respondent to consider and pass orders on the



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petitioner's representation dated 07.02.2022.

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2. In view of the consent expressed by the Learned counsel appearing for either side, this petition is taken up for final disposal.

3. The case of the petitioner is that he is a visually differently abled person suffering from hundred percent permanent disability and he was allotted a PCO Booth at Tambaram Railway Station. While so, as the income earned by the petitioner through the said PCO business is not sufficient to meet his day to day needs, he made a representation dated 07.02.2022 before the respondents, seeking to convert the existing PCO Booth into a Multi Purpose Stall and allot the same to the petitioner without Tender basis, however, till date, no orders have been passed on the said representation. Hence, this Writ petition.

4. Though very many grounds have been raised, learned counsel for the petitioner submits that it would suffice if this Court issues direction to the 4th respondent to consider the petitioner's representation dated

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07.02.2022 and allot a Multi purpose stall in favour of the petitioner as expeditiously as possible.

5. Learned Senior Panel Counsel appearing for the respective respondents submitted that appropriate orders will be passed on the petitioner's representation dated 07.02.2022 within the time stipulated by this Court.

6. Considering the limited request made by the learned counsel for the petitioner, this Court without expressing any opinion on the merits of the case directs the 4th respondent to consider the petitioner's representation dated 07.02.2022 on merits and in accordance with law and pass appropriate orders, within a period of six weeks from the date of receipt of a copy of this order, after affording an opportunity of personal hearing to the petitioner and aggrieved persons, if any.

7. This writ petition is accordingly disposed of. No costs.

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Speaking Order : Yes/ No

Index : Yes/ No

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M.DHANDAPANI, J.

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