



WEB COPY



W.P.No.10674 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 06.04.2023

CORAM :

**THE HONOURABLE MR. JUSTICE S.M.SUBRAMANIAM**

W.P.No.10674 of 2023 and  
W.M.P.No.10606 of 2023

Visalam @ Visalatchi

..

Petitioner

vs

1. The Commissioner  
Corporation of Chennai , Ripon Building  
Park Town, Chennai – 600 003.
2. The Junior Engineer  
Corporation of Chennai  
Old Division No. 109, New Division No.111  
Thousand Lights, Chennai – 600 006.
3. The Commissioner of Police  
Greater Chennai  
Office of Commissioner of Police  
Vepery, Chennai - 600 007.
4. The District Disabled Rehabilitation Officer  
Greams Road, Thousand Lights  
Chennai – 600 006.

..

Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the respondents herein, their men, subordinates, agents, assigns and others not to interfere with intention to forcefully evict the petitioner from the Site No.159 on Greams Road, Thousand Lights, Chennai – 600 006, where the petitioner is running her petty trade in the KIOSK Bunk as the privileged class of person.



WEB COPY



W.P.No.10674 of 2023

For Petitioner : Mr.V.Ramanareddy

For Respondents : Ms.P.T.Ramadevi  
Standing Counsel  
for R1 & R2

Mr.A.M.Ayyadurai  
Government Advocate  
for R3 & R4

### ORDER

The relief sought for in the present writ petition is to direct the respondents herein, their men, subordinates, agents, assigns and others not to interfere with intention to forcefully evict the petitioner from the Site No.159 on Greams Road, Thousand Lights, Chennai – 600 006, where the petitioner is running her petty trade in the KIOSK Bunk as the privileged class of person.

2. The petitioner states that she studied up to 10<sup>th</sup> Standard and is a differently abled person. She commenced a bunk shop to carry on business on Site No.159, Greams Road, Thousand Lights, Chennai – 600 006. She states that she is differently abled and from and out of the said income, is leading her livelihood. The respondents are attempting to evict the petitioner and taking steps to remove the bunk shop.

Thus, the petitioner is constrained to move the present writ petition.



WEB COPY



W.P.No.10674 of 2023

3. The learned counsel appearing on behalf of the respondent Corporation made a submission that there is no bunk shop functioning in the said address given by the petitioner in the affidavit as well as in the relief call. The second respondent have conducted an inspection even today morning (ie., on 06.04.2023) and the photograph taken by the authorities competent are placed before this Court, which would show that there is no bunk shop in the locality. The police authorities also have taken photographs and all such photographs are placed before this Court, which shows that there is no bunk shop functioning as on today in the said location and accordingly, the petition has been filed before this Court for the purpose of securing an order and to commence a bunk shop in the said locality.

4. The petitioner was directed to be present before this Court on 04.30pm. The petitioner is present. The petitioner informed that she is running a bunk shop previously and now, she is not running any such bunk shop in that locality.

5. Contradictory statements made by the petitioner cannot be trusted upon and the fact remains that there is no bunk shop in the address



W.P.No.10674 of 2023

stated in the affidavit. Thus, the petitioner have filed false petition before this Court in order to mislead the Court. Considering the fact that the petitioner is a differently abled person and by taking a lenient view, this Court is not proposed to impose costs on the present of writ petition.

6. However, the petitioner is not entitled to any relief. Accordingly, the writ petition stands dismissed. There will be no order as to costs. Consequently, the connected miscellaneous petition is closed.

**06.04.2023**

Index : Yes/No  
Neutral Citation : Yes/No

drm



W.P.No.10674 of 2023

To:

WEB COPY

1. The Commissioner  
Corporation of Chennai , Ripon Building  
Park Town, Chennai – 600 003.
2. The Junior Engineer  
Corporation of Chennai  
Old Division No. 109, New Division No.111  
Thousand Lights, Chennai – 600 006.
3. The Commissioner of Police  
Greater Chennai  
Office of Commissioner of Police  
Vepery, Chennai - 600 007.
4. The District Disabled Rehabilitation Officer  
Greaves Road, Thousand Lights  
Chennai – 600 006.



WEB COPY



W.P.No.10674 of 2023

**S.M. SUBRAMANIAM, J.**

drm

**W.P.No.10674 of 2023**

06.04.2023