



WEB COPY



W.P.No.20038 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 07.07.2023

CORAM

THE HONOURABLE MR. JUSTICE S.SOUNTHAR

W.P No.20038 of 2023

and

WMP.No.19387 of 2023

J.Mani

...Petitioner

Vs.

- 1.The Commissioner
Corporation of Greater Chennai City
Ripon Building
Chennai 3.
- 2.Asst Engineer
Chennai Corporation, Velachery Division
Chennai 600 042.
- 3.Zonal Officer
Adayar Zone, Corporation of Chennai
Chennai 20.

...Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the respondents to permit the petitioner to put his push cart stall on temporary basis at Velachery, Tambaram



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Main Road under the railway bridge near Chennai Silks Complex corner towards Perungudi Railway Station Road (starting point corner) on the western side.

For Petitioner : Mr.P.Arularasu

For Respondents : Mrs.P.T.Ramadevi
Standing Counsel (GCC)

ORDER

The petitioner herein seeks a direction to the first respondent to permit the petitioner to put his push cart stall on temporary basis at Velachery, Tambaram Main Road under the railway bridge near Chennai Silks Complex corner towards Perungudi Railway Station Road (starting point corner) on the western side.

2. According to the petitioner, he is a disabled person and his family consists of his wife and two small children. He started a roadside tea stall on a wheeled cart (stall) by obtaining a loan from Indian Bank. The petitioner has been meeting his day to day expenses with the small income earned from the push cart business. It is also stated by the petitioner recently



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the employees of the first respondent/Corporation directed him to remove push cart from Velachery, Main Road, Near Velachery Railway Station. Since the petitioner no other option, he made a representation to the first respondent seeking permission to put up push cart stall on temporary basis at Velachery, Tambaram Main Road under the railway bridge near Chennai Silks Complex corner towards Perungudi Railway Station Road (starting point corner) on the western side. The said representation has not been considered and no orders have been passed so far.

3. Mrs.P.T.Ramadevi, learned Standing Counsel takes notice for the respondents. The learned Standing Counsel further submitted that the petitioner has not produced the acknowledgment card for having served the representation to the first respondent.

4. In view of the same, the petitioner is directed to give a fresh representation to the first respondent within a period of two weeks from the date of receipt of copy of this Court.



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5. In view of the limited prayer made in this Writ Petition, without expressing any opinion on the merits of the case, this Court is inclined to issue a direction to the first respondent to consider the fresh representation to be submitted by the petitioner and pass orders on merits and in accordance with law, within a period of four weeks from the date of receipt of the petitioner's representation.

6. With the above direction, this Writ Petition is disposed of. No costs. Consequently, connected Miscellaneous Petition is closed.

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Index : Yes/No
Internet : Yes/No
Speaking Order/Non-Speaking Order
Neutral Citation Case : Yes/No
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