



WEB COPY



W.P. No.26802 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 04.06.2024

CORAM:

THE HON'BLE MR. JUSTICE G.K. ILANTHIRAIYAN

W.P. No.26802 of 2022

S.Azhagu Thennavan

.... Petitioner

vs.

1. The Chief Engineer,
Construction and Maintenance,
Highways Department,
Guindy, Chennai-600 025.

2. The Divisional Engineer,
Highways,
Construction and Maintenance,
Saidapet, Chennai-600 015.

.... Respondents

Prayer : Writ Petition is filed under Article 226 of Constitution of India to issue a writ of Mandamus directing the respondents to consider the petitioner's representation dated 13.08.2022 and to give permission to run bunk shop based on proceeding in Na.Ka.No.816/2022 dated 12.08.2022 of the District Differently abled Welfare Officer, Chengalpattu.

For Petitioner : No appearance

For Respondents : Mr.E.Vijay Anand
Additional Government Pleader



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ORDER

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2. The petitioner is being a Physically Challenged Person seeking permission to run bunk shop at G.S.T. Road, Chrompet, Opposite to Digital Reliance Shop.

3. On perusal of the counter affidavit filed by the second respondent revealed that the place in which the petitioner sought for permission to run bunk shop is situated at Highway Road Grand Southern Trunk Road at Chrompet Town Tambaram Corporation Limit Chengalpattu District. Heavy traffic are flowing in the above road. Accordingly, foot path have been formed in the above area for public use. Therefore, it is not feasible to permit the petitioner to run a bunk shop in the site adjacent to the GST Road. Further, if permission is granted to the petitioner to run a bunk shop, it will amounts to encroachment. Further, the petitioner already encroached by running the bunk shop in the Highway land opposite to Madras Christian College at Tambaram in



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Velachery-Irumbuliyur Road, Tambaram Town. The said encroachment

was removed under section 28(ii) of TamilNadu High Ways Act, 2021.

Therefore, the request made by the petitioner cannot be considered.

4. Hence, this writ petition is devoid of merits and liable to be dismissed. Accordingly, this writ petition is dismissed. No costs.

04.06.2024

Index: Yes/No
Internet: Yes/No
Speaking Order/Non-Speaking Order
gvn

To

1. The Chief Engineer,
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2. The Divisional Engineer,
Highways,
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G.K. ILANTHIRAIYAN, J.

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