



WEB COPY



W.P.No.35073 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 20.02.2025

CORAM
THE HONOURABLE MR. JUSTICE S.M.SUBRAMANIAM
AND
THE HONOURABLE MR. JUSTICE K.RAJASEKAR

W.P.No.35073 of 2024

S.Balaji

... Petitioner

Vs.

1. The Commissioner,
Officer of the Differently abled persons,
No.5 Kamarajar Salai,
Chepauk,
Chennai - 600 005.
2. The District Collector,
Chengalpattu District,
Chengalpattu.
3. Officer of the Differently abled persons,
Collector office Buildings,
Chengalpattu District,
Chengalpattu.
4. The Municipal Executive Officer,
Office of Municipality,
Tirukalukundram,
Chengalpattu District.

... Respondents



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Prayer: Petition filed under Article 226 of the Constitution of India, seeking for an issuance of writ of mandamus, directing the respondent to consider the petitioner's representation dated 22.08.2024 and 23.08.2024 and till such time not to interfere with the running of the petitioner's bunk shop.

For Petitioner : Mr.H.Manojin

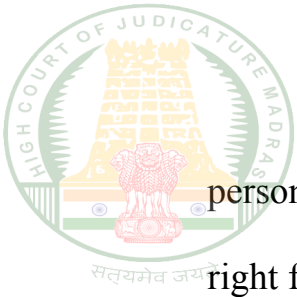
ORDER

(Order of the Court was made by the Hon'ble S.M.SUBRAMANIAM, J.)

The writ of mandamus has been instituted to direct the respondents to consider the petitioner's representation dated 22.08.2024 and 23.08.2024.

2. The representation submitted by the petitioner reveals that the petitioner has already put up a Bunk shop in the public place and seeking permission to run the same.

3. Admittedly, the petitioner has commissioned Bunk shop unlawfully, without obtaining prior permission from the competent authority. Thus, the petitioner for all purposes is an encroacher of public land. Therefore, this Court cannot issue any direction to consider the representation. Even for issuing a direction to consider the representation, the



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person approaching the Court has to establish his right or infringement of right for entertaining the writ petition.

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4. In the present case, the petitioner is illegally running a Bunk Shop. Therefore, the Authorities are empowered to initiate all further actions to ensure that no obstructions are caused to the public roads and public places. If at all, the petitioner is otherwise eligible for allotment of any shop, the petitioner is at liberty to submit appropriate application seeking such allotment and in which case, it is to be considered strictly in accordance with Rules and based on the seniority of applications/persons who are all waiting for such allotment from the competent Authorities.

Accordingly, the Writ Petition stands **disposed of**. No costs.

[S.M.S,J.] [K.R.S,J.]

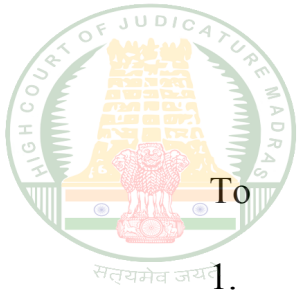
20.02.2025

veda

Index:Yes/No

Speaking order/Non-speaking order

Neutral Citation:Yes/No



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- To
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Chepauk,
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 2. The District Collector,
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AND
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