



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 24.03.2020

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THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P. (MD)No.6037 of 2020

J.Abdul Rahim

... Petitioner

Vs.

1.The District Collector
Sivagangai District,
Sivagangai.

2. The Executive Officer
Thiruppathur Town Panchayat (Selection Grade),
Thiruppathur,
Sivagangai District.

... Respondents

PRAYER:- Petition filed under Article 226 of the Constitution of India seeking a Writ of Mandamus, directing the second respondent to consider the petitioner's representation, dated 02.03.2020 for allotment of new shop on Disability person quota basis at Thiruppathur Bus Stand complex, Thiruppathur, Sivagangai District within a stipulated time.

For Petitioner: Mr.S.Kameswaran

For R1 : Mr.V.Anand
Government Advocate

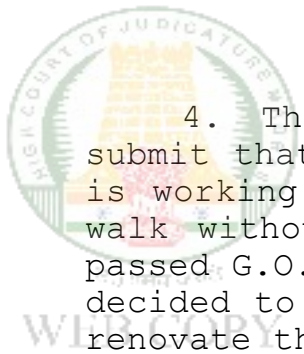
For R2 : Mr.S.Dhayalan
Government Advocate

ORDER

This writ petition has been filed directing the second respondent to consider the petitioner's representation, dated 02.03.2020, for allotment of new shop, on Disability Person Quota basis at Thiruppathur Bus Stand Complex, Thiruppathur, Sivagangai District.

2. Mr.V.Anand, learned Government Advocate takes notice for the first respondent and Mr.S.Dhayalan, learned Government Advocate takes notice for the second respondent.

3. By consent, this writ petition itself is taken up for final disposal at the stage of admission itself.



4. The learned counsel appearing for the petitioner would submit that the petitioner is a physically challenged person and he is working as a Labour in Mobile Shop and he could not be able to walk without the help of someone. The Tamil Nadu Government has passed G.O.Ms.No.568, dated 15.09.2015, wherein the State Government decided to expand the Thiruppathur Old Bus Stand and had planned to renovate the existing shopping complex attached to the bus stand and hence, the petitioner made a representation to the first respondent on 06.01.2020, requesting to allot a New shop at bus stand complex, Thiruppathur, Sivagangai District, in person and thereafter, he made a representation to the District Disabled Welfare Officer, Sivagangai, on 17.02.2020, in person, and requested him to recommend the second respondent for allotment of the New shop.

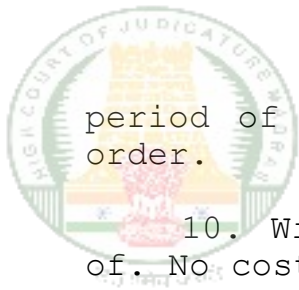
5. Adding further, the learned counsel would submit that the District Disability Officer, Sivagangai has passed the proceedings in Na.Ka.No.25/A/20, dated 26.02.2020, recommending the second respondent to allot a New Shop to the petitioner in Bus Stand Complex, Thiruppathur and also stated to allot a New Shop to encourage the Physically challenged person for doing the self-employment. The above said New shop building at Bus Stand Complex, Thiruppathur, Sivagangai District is almost completed and the second respondent is going to conduct the auction for the above said new shops in the bus stand complex.

6. Continuing further, the learned counsel would submit that the petitioner is the only bread winner of his family and is working as Labour in Mobile shop and hence, he has decided to start self-employment business. Therefore, he made a representation to the second respondent on 02.03.2020 and requested to allot a New shop to the petitioner on Disability Person Quota basis at Thiruppathur Bus stand complex and because of their inaction, the present petition came to be filed, for the aforesaid relief.

7. Though the petitioner seeks a larger relief, at the time of arguments, the learned Counsel appearing for the petitioner would submit that it would be suffice, if the representation of the petitioner dated 02.03.2020, is disposed of by the second respondent on merits, as expeditiously as possible.

8. The learned Government Advocate appearing for the Respondents would submit that if reasonable time is granted to the respondents, appropriate orders will be passed on the representation of the petitioner.

9. In view of the above said submissions and also considering the limited scope of the relief now sought for by the petitioner, this Court, without expressing any opinion on the merits of the petitioner's claim, directs the second respondent, to consider the representation of the petitioner, dated 02.03.2020 and pass



period of eight weeks from the date of receipt of a copy of this order.

10. With the above observation, the writ petition is disposed of. No costs.

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Sd/-

Assistant Registrar ()

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

To

1.The District Collector

Sivagangai District,

Sivagangai.

2. The Executive Officer

Thiruppathur Town Panchayat,

Thiruppathur,

Sivagangai District.

+1 CC to M/s.S.KAMESHWARAN, Advocate (SR-12952[F] dated 24/03/2020)

W.P. (MD)No.6037 of 2020
24.03.2020

SDS (17.06.2020) 3P-4C