

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 11.02.2015

CORAM

THE HONOURABLE MR.JUSTICE T.S.SIVAGNANAM

WP.No.1906 of 2015

and

M.P.No.1 of 2015

N.Sadasivam

..Petitioner

-Versus-

1.The District Collector, Cuddalore.

2.The Superintendent of Police, Cuddalore.

3.The Municipal Commissioner,
Cuddalore Municipality, Cuddalore.

..Respondents

Writ petition filed under Article 226 of the Constitution of India praying for a writ of mandamus directing the respondents to provide petitioner with all benefits under the Street Vendors (Protection of Livelihood & Regulation of Street Vending) Act, 2014.

For Petitioner : Mr.R.Gururaj

For RR1 & 2 : Mr.V.Jayaprakash Narayanan
Special Government Pleader

For R.3 : Mr.R.V.Jayakumar

ORDER

Heard Mr.R.Gururaj, learned counsel for the petitioner and Mr.V.Jayaprakash Narayanan, learned Special Government Pleader appearing for the respondents 1 and 2 and Mr.R.V.Jayakumar, learned counsel for the third respondent and with their consent, the writ petition is taken for disposal at the admission stage.

2.The petitioner seeks for the relief of a writ of mandamus directing the respondents to provide petitioner with all benefits under the Street Vendors (Protection of Livelihood & Regulation of Street Vending) Act, 2014 .

3. Admittedly, the petitioner is carrying out business in a road margin and it is admitted by the petitioner that the shop is situated in a very busy locality where there are several Government Offices viz., Office of the Superintendent of Police, Office of the Revenue Divisional Officer, Collector's Office and Sub Jail. Since, the petitioner said to have doing business in the said shop for more than 50 years, there is no vested right for the petitioner to claim that he should be permitted to continue to conduct his business activities in the particular place. However, if there is any Provision or Rule in favour of the petitioner, it is always open for him to approach the Government.

4. In this writ petition, the limited prayer sought for by the petitioner is to direct the respondents to provide him with all benefits under the Street Vendors (Protection of Livelihood & Regulation of Street Vending) Act, 2014.

5. In the light of the above observations made in this order, without going into the merits of the petitioner's contentions, there will be a direction to the third respondent to consider the representation of the petitioner being filed, if feasible, and pass orders on merits and in accordance with law under the Street Vendors (Protection of Livelihood & Regulation of Street Vending) Act, 2014, as expeditiously as possible, preferably, within a period of eight weeks from the date of receipt of a copy of this order.

6. The writ petition is disposed of with the above direction. No costs. Consequently, connected miscellaneous petition is closed.
jbm

Sd/-

Asst. Registrar.

/true copy/

Sub Asst. Registrar.

To

1. The District Collector, Cuddalore.

2. The Superintendent of Police, Cuddalore.

3. The Municipal Commissioner, Cuddalore Municipality, Cuddalore.

+ 1 cc to Mr. R. Vijayakumar, Advocate Sr. 7625.

+ 1 cc to the Govt. Pleader, Sr. 7553.

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KR/21/2/15