

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 7-7-2015

CORAM:

THE HON'BLE MR.JUSTICE SATISH K. AGNIHOTRI
AND
THE HON'BLE MR.JUSTICE M.VENUGOPAL

W.P. No.19880 of 2015

Azhiyar Dam Street Hawkers Welfare Association,
rep.by its President Anandan,
No.11/3G, Kanthick Paper Mill viz.,
Puliakandy, Aashiyar Nagar,
Pollachi Taluk,
Coimbatore - 642 101. ... Petitioner

Vs.

1. The State, rep.by the Principal Secretary,
Public Works Department,
Secretariat, Fort St.George,
Chennai - 600 009.
2. The Executive Engineer,
Highways Department,
Pollachi.
3. The Assistant Executive Engineer,
Highways Department,
Aanaimalai.
4. The Superintendent Engineer,
Public Works Department,
Water Resources Organisation,
Parambikulam Aazhiyar Irrigation Circle,
Pollachi.
5. The Assistant Executive Engineer,
Cantoor Canal Sub-Division,
Public Works Department,
Aazhiyar Nagar, Pollachi.

... Respondents

Writ Petition filed under Article 226 of the Constitution of India seeking a writ of mandamus directing the fifth respondent to consider and grant relief based on the representation dated

25.3.2015 for permitting the petitioner's society to run the street hawkers shops in and around the Aazhiyar Dam, Pollachi Taluk, Coimbatore District.

For petitioner : No appearance
For Respondents : Mr.P.S.Sivashanmugasundaram,
Special Government Pleader

ORDER

(Order of the Court was made by SATISH K. AGNIHOTRI, J.)

Petitioner, which is stated to be an association of Hawkers, filed this writ petition for a direction to the 5th respondent to consider their representation dated 25.3.2015 for permitting the members of the petitioner Association to run the street hawkers shops in and around the Aazhiyar dam, Pollachi Taluk, Coimbatore District.

2. Petitioner is seeking direction to create hawking zone in and around the Aazhiyar Dam, which cannot be granted without examining the facts. Creating a hawking zone is within the purview of the administrative authorities. Hawkers cannot do hawking business at the place of their choice and as such it is for the authorities to consider as to whether there should be a hawking zone on the basis of the request made by the hawkers. Dehors regulations and statutory provisions, hawking cannot be permitted at any place.

With the above observations, we dispose of this writ petition. No costs.

Sd/-

Asst.Registrar (CO)

/true copy/

Sub Asst. Registrar

vr

To

1. The Principal Secretary,
Public Works Department,
Secretariat, Fort St.George,
Chennai - 600 009.
2. The Executive Engineer,
Highways Department,
Pollachi.
3. The Assistant Executive Engineer,
Highways Department,
Aanaimalai.
4. The Superintendent Engineer,
Public Works Department,
Water Resources Organisation,
Parambikulam Aazhiyar Irrigation Circle,
Pollachi.
5. The Assistant Executive Engineer,
Cantoor Canal Sub-Division,
Public Works Department,
Aazhiyar Nagar, Pollachi.

1 cc to Government Pleader, Sr. 33965

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ALA (CO)
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