

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 17.03.2016

CORAM

THE HONOURABLE MR. JUSTICE T.S.SIVAGNANAM

W.P. No.10033 of 2016

&

WM.P.No.8988 of 2016

R.Priya

... Petitioner

Vs

1. The Government of Tamilnadu
rep. by its Secretary Local Administration Dept.,
Secretariat, Fort St. George,
Chennai-600 009.
2. The Commissioner,
Corporation of Chennai ,
Rippon Buildings,
Chennai-3
3. The Commissioner of Police,
Greater Chennai ,
EVK Sampath Road,
Vepery, Chennai-7.

... Respondents

Writ petition filed under Article 226 of the Constitution of India praying for a Writ of Mandamus to direct the second respondent to consider and pass orders on the petitioner's representation dated 05.10.2015 as per the provisions of Street Vendors (Protection of Livelihood and Regulation of Street Vending) Act 2014 and till final decision is taken thereon, forbear the respondents and their subordinates in any manner evicting or disturbing the bunk shop run by the petitioner at Sadullah Street, Near Thakkarbaba Compound (Opposite to Ramana Towers), T.Nagar, Chennai-600 017.

For Petitioner : Mr.S.Pushpakaran

For Respondents : Mr.N.Roofus Abraham
Government Advocate for R1

Mr.P.V.Selvakumar for R2

O R D E R

Heard Mr.S.Pushpakaran, learned counsel for the petitioner, Mr.N.Roofus Abraham, learned Government Advocate accepting for the first respondent and Mr.P.V.Selvakumar, learned counsel accepting for the second respondent.

2.The petitioner has come up with the above writ petition for issuance of a writ of mandamus to direct the second respondent to consider and pass orders on his representation dated 05.10.2015 as per the provisions of Street Vendors (Protection of Livelihood and Regulation of Street Vending) Act 2014 and till final decision is taken thereon forbear the respondents and their subordinates in any manner evicting or disbursing the bunk shop run by her at Sadullah Street, Near Thakkarbaba Compound (Opposite to Ramana Towers), T.Nagar, Chennai-600 017.

3. The petitioner claims to be a poor person, is running a bunk shop in the place mentioned above. However, according to the petitioner, the officials of the respondents are interfering with his business in running the bunk shop and are trying to evict her. Therefore, the petitioner gave representation to the respondents and thereafter, has come forward with the above writ petition.

4. According to the learned counsel for the respondent Corporation, roads, pathways, etc., vest within the jurisdiction land control of the Corporation.

5. In view of the said submission, without expressing any opinion on the merits of the case, the writ petition is disposed of with a direction to the second respondent to consider the representation of the petitioner dated 05.10.2015 on merits and pass appropriate orders thereon in accordance with law, within a period of eight weeks from the date of receipt of a copy of this order. Till then, the petitioner shall not be dispossessed. No costs. Consequently, connected Miscellaneous Petition is closed.

Sd/-
Assistant Registrar(CO)

//True Copy//

Sub Assistant Registrar

rpa

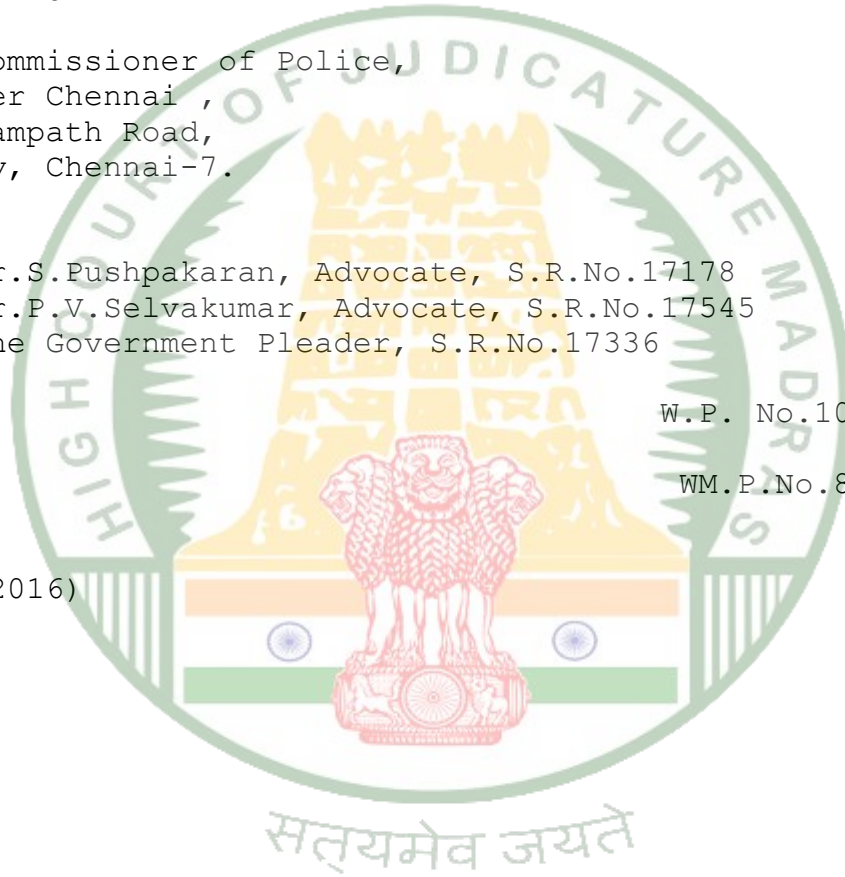
To

1. The Secretary Local Administration Dept.,
Government of Tamilnadu,
Secretariat, Fort St. George,
Chennai-600 009.
- 2 The Commissioner,
Corporation of Chennai ,
Rippon Buildings,
Chennai-3
- 3 The Commissioner of Police,
Greater Chennai ,
EVK Sampath Road,
Vepery, Chennai-7.

+1cc to Mr.S.Pushpakaran, Advocate, S.R.No.17178
+1cc to Mr.P.V.Selvakumar, Advocate, S.R.No.17545
+1cc to the Government Pleader, S.R.No.17336

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&
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SAI (CO)
CA(29/03/2016)



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