

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 06.04.2016

CORAM:

THE HONOURABLE MR.JUSTICE T.S.SIVAGNANAM

W.P.NO.13002 OF 2016
AND WMP NO.11357 OF 2016

S.Selvaraj

.. Petitioner

Versus

1.The District Collector
The Nilgiris.

2.The Superintendent of Police
The Nilgiris.

3.The Municipal Commissioner
Udhagamandalam Municipality
The Nilgiris.

.. Respondents

PRAYER: Writ petition filed under Article 226 of the Constitution of India, praying for the issuance of Writ of Mandamus, directing the respondents not to permit the street/platform vendors, hawkers and cart pullers to put up their petty shops in front of the petitioner's shop, viz., M/s.P.S.R. Shopping Centre, P.S.R.Tiffin Centre and P.S.R. Fancy Stores at Breeks All India Secondary School Campus, Opposite to Botanical Garden, Udhagamandalam, The Nilgiris, based on his representation dated 15.03.2016.

For Petitioner : Mr.M.Venkkateswaran

For Respondents : Mr.R.Rajeswaran
Special Government Pleader

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O R D E R

Heard Mr.M.Venkkateswaran, learned counsel for the petitioner and Mr.R.Rajeswaran, learned Special Government Pleader for the respondents.

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

3.The petitioner has come up with the present writ petition seeking for a direction to the respondents not to permit the street / platform vendors, hawkers and cart pullers to put up their petty shops in front of the petitioner's shop, viz., M/s.P.S.R. Shopping Centre, P.S.R.Tiffin Centre and P.S.R. Fancy Stores at Breeks All India Secondary School Campus, Opposite to Botanical Garden, Udhagamandalam, The Nilgiris, based on his representation dated 15.03.2016.

4.The petitioner has carrying on business at a place opposite to the Botanical Garden in Udhagamandalam. His grievance is that the second and third respondents have not regulated the hawkers and cart pullers, who are putting up their petty shops just in front of the petitioner's shop, thereby obstructing the entry to his shop, apart from affecting his business. In this regard, the petitioner has submitted representation to the authorities and since no action has been taken, the petitioner is before this Court. From the postal acknowledgement card filed in the typed set of papers, it is seen that the representation has been received by the respondents on 18.03.2016.

5.In the light of the above, there will be a direction to the third respondent to consider the petitioner's representation dated 15.03.2016 and direct the Subordinates to make a surprise inspection and thereafter, proceed in accordance with law.

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

Sd/-

Assistant Registrar(CS IV)

//True Copy//

Sub Assistant Registrar

TK

To

1.The District Collector
The Nilgiris.

2.The Superintendent of Police
The Nilgiris.

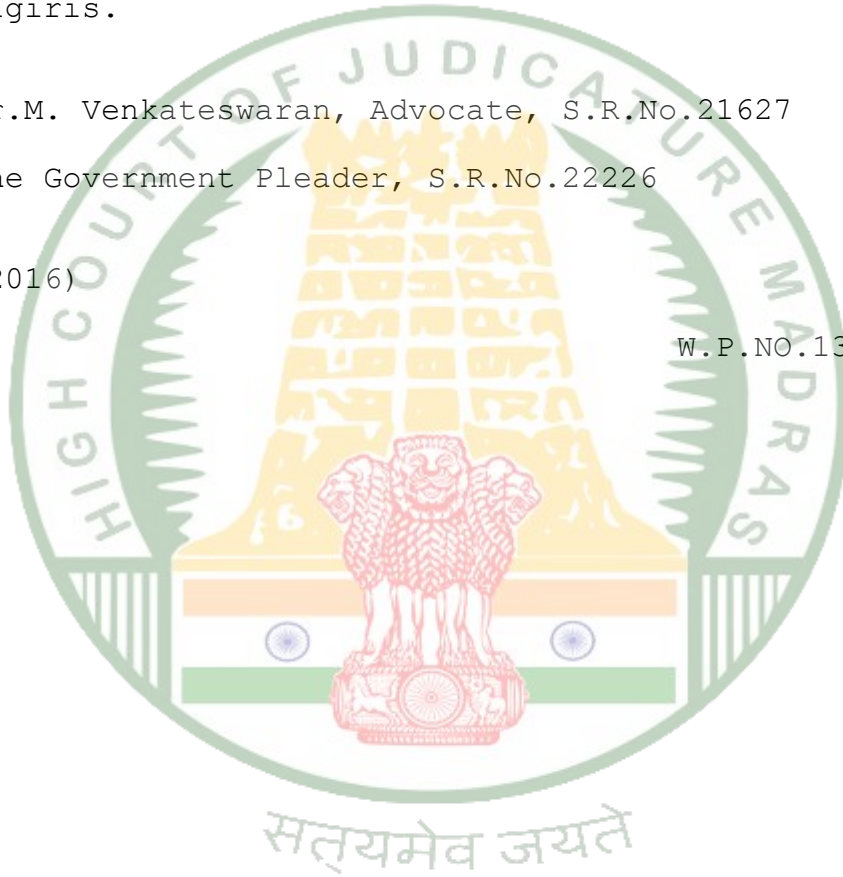
3.The Municipal Commissioner
Udhagamandalam Municipality
The Nilgiris.

+1cc to Mr.M. Venkateswaran, Advocate, S.R.No.21627

+1cc to the Government Pleader, S.R.No.22226

GJ(CO)
EU(27/04/2016)

W.P.NO.13002 OF 2016



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