

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12.07.2016

CORAM

THE HONOURABLE MR.JUSTICE HULUVADI G.RAMESH
AND
THE HONOURABLE MR.JUSTICE M.V.MURALIDARAN

W.P.No.15783 of 2016

Kothagiri Nadaipathai Small

Merchants Association

Society Registration No.5.29/85

represented by its President

Padchaiyappan

S/o Palaniyandi

Market Road, Kothagiri

Nilgiris District

.. Petitioner

-vs-

1. The State of Tamil Nadu

represented by its Secretary

Rural Development Department

Fort St.George

Chennai 600 009

2. The Thasildar

Kothagiri Taluk

Kothagiri

Nilgiris District

3. The Executive Officer

Kothagiri Panchayat

Kothagiri

Nilgiris District

सत्यमेव जयते
.. Respondents

Petition under Article 226 of the Constitution of India, praying for the issue of a Writ of Mandamus, directing the respondents to consider the representation of the petitioner dated 30.03.2016 in accordance with law and recognise the trade to continue to sell the products in the same place at Market Road (Old Police Station Road), Kothagiri, Nilgiris District, as per the Street Vendors Act and to secure the ends of justice.

For Petitioner

:: Mr.R.Sankarasubbu

For Respondents

:: Mr.P.S.Sivashanmugasundaram
Special Government Pleader for
R1 & R2
Mr.S.Gomathinayagam
Additional Advocate General

assisted by Mr.M.Dig Vijaya Pandian
for R3

ORDER

(Order of the Court was delivered by HULUVADI G.RAMESH, J.)

Heard the learned counsel for the petitioner and the learned Additional Advocate General for the third respondent for some time.

2. It appears that the members of the petitioner Association numbering 57 have made a representation to the Executive Officer, Kothagiri Town Panchayat, the third respondent herein to consider their case in accordance with law and to recognise their trade of vending clothes, fancy articles, vegetables, etc., in the place in question and as the said representation is pending consideration, the petitioner is before this Court.

3. In the light of the above, it is for the third respondent authority to consider the grievance of the petitioner Association on the basis of individual facts of the case and to pass appropriate orders in accordance with law/Regulations within a period of two months from the date of receipt of a copy of this order. The writ petition stands disposed of. Consequently, W.M.P.No.13707 of 2016 is closed. No costs.

-sd/-

Assistant Registrar

/ TRUECOPY/

Sub-Assistant Registrar

ss

To

1. The Secretary to Government
Rural Development Department
Fort St.George, Chennai 600 009

2. The Thasildar
Kothagiri Taluk
Kothagiri, Nilgiris District

3. The Executive Officer
Kothagiri Panchayat
Kothagiri, Nilgiris District

+1 cc to Government pleader SR.NO. 39162

+1 CC to MR.R.SANKARA SUBBS ADVOCATE SR.NO. 38620

+1 CC to MR.M.DIGVIJAYAPANDIAN Advocate SR.NO. 38589

pa[co]

RD : 28/07/2016