

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATE: 28.04.2016

CORAM

THE HONOURABLE MR.JUSTICE T.S.SIVAGNANAM

W.P.No.16069 of 2016 &

WMP No.13875 of 2016

A.Alavikutti

[PETITIONER]

Vs

1 The Government of Tamilnadu
Rep. by its Secretary
Local Administration Department
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]

Prayer: This Writ Petition is filed under Article 226 of the Constitution of India, seeking for a Writ of Mandamus, to direct the second respondent to consider and pass orders on the petitioners representation dated 06.04.2016 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 No.1,Gurusamy Road, Chetpet, Chennai 600 031.

For Petitioner : Ms.N.Jothilakshmi

For Respondents : Mr.M.L.Mahendran, - R1 & R3
Govt.Advocate

Mr.P.V.Selvakumar -R2
Standing Counsel

O R D E R

Heard Ms.N.Jothilakshmi, learned counsel appearing for the petitioner, Mr.M.L.Mahendran, learned Government Advocate accepting notice for the respondents 1 & 3 and Mr.P.V.Selvakumar, learned Standing Counsel, accepting notice on behalf of second respondent. By consent of the learned counsel on either side, the Writ Petition is taken up for final disposal.

2. The petitioner seeks for issuance of a writ of mandamus to direct the second respondent to consider and pass orders on the petitioners representation dated 06.04.2016 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 No.1, Gurusamy Road, Chetpet, Chennai 600 031.

3. The learned counsel appearing on either side submits that the issue involved in this Writ Petition is covered by the decision of the Hon'ble Division Bench in W.P.Nos.18397 of 2014, etc batch dated 30.09.2015, and the Writ Petitions were disposed of with certain observations.

4. Accordingly, this Writ Petition is also disposed on the same lines and whatever benefits that will accrue to the petitioners by virtue of the decision of the Hon'ble Division Bench, shall be applicable and accrue to the petitioner in this Writ Petition also. Further, there will be a direction to the second respondent to verify whether the petitioner is running bunk shop in the said premises and if the petitioner is already

running the shop, she shall not be dispossessed from the said place, till appropriate orders are passed by the second respondent. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar(CS II)

//True Copy//

Sub Assistant Registrar

To

- 1 The Government of Tamilnadu
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- 2 The Commissioner
Corporation of Chennai
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- 3 The Commissioner of Police
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EVK Sampath Road
Vepery, Chennai-7.

+1cc to the Government Pleader Sr.27902
+1cc to the Government Pleader sr.27357
+1cc to Mr.P.V.Selvakumar, Advocate sr.27752
+1cc to Mr.N.Jothi Lakshmi, Advocate Sr.27057

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W.P.No.16069 of 2016

nr(CO)
srg(13/05/2016)