

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 07.01.2016

CORAM

THE HON'BLE Mr. JUSTICE SATISH K.AGNIHOTRI
and
THE HON'BLE Dr. JUSTICE P.DEVADASS

W.P.Nos.37957 to 37959 of 2015
and
M.P.Nos.1, 1 and 1 of 2015

Victoria .. Petitioner in
W.P.No.37957 of 2015

M.Kalaigarnar .. Petitioner in
W.P.No.37958 of 2015

G.Kala .. Petitioner in
W.P.No.37959 of 2015

Vs.

1.The State Commissioner for
Differently Abled,
O/o.State Commissioner for
Differently Abled, J.N.Ring Road,
Chennai - 78.

2.The Secretary to Government,
Local Administration Department,
Government of Tamil Nadu,
Fort St. George, Chennai - 9.

3.The Commissioner,
Corporation of Chennai,
Rippon Buildings, Chennai - 3. .. Respondents
in all the W.Ps

Petitions filed under Article 226 of The Constitution of India praying to issue a writs of mandamus forbearing the third respondent, their officials, servants from in any manner interfering with the running of the petitioners' bunk shops at (1) Government Technical Training Institute, Industrial Development Department, Opposite to Olympia and Technology Park Gate, Guindy, Chennai - 32, (2)Wipro Ltd., R.R. Tower-II, No.94/95, Thiru.Vi.Ka. Industrial Estate, Opposite to Gate

No.20, Guindy, Chennai - 32 and (3) No.8/22, Krishnamachari Road, Nungambakkam, Chennai - 34 respectively, by selling tea, coffee and food items.

For Petitioner	..	Mr.L.Chandrakumar in all the W.Ps
For Respondents	..	Mr.P.S.Sivashanmugha Sundaram, Spl. Govt. Pleader for R1 & R2 Mr.R.Arunmozhi for R3 in all the W.Ps

COMMON ORDER

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

With the consent of the learned counsel for the parties, the writ petitions are taken up for final disposal.

2.Pursuant to the notice dated 30 November 2014, issued by this Court, the Corporation of Chennai has filed affidavits stating that the Corporation officials conducted inspection of the sites on 11 December 2015, 11 December 2015 and 29 December 2015 respectively and no such bunk shops, as claimed by the petitioners, are found. Thus, the petitioners are not entitled to protection under the provisions of the Street Vendors (Protection of Livelihood and Regulation of Street Vending) Act, 2014 and also as per the order of a Division Bench of this Court wherein one of us (Satish K. Agnihotri, J.) was a Member, in B.Noor Ahmed and Others Vs. State of Tamil Nadu rep. by its Secretary, Fort St. George, Chennai and Others¹.

3.Learned counsel appearing for the petitioners seeks liberty to make fresh applications for allotment of some place for establishing bunk shops.

4.In view of the above, the writ petitions are dismissed, reserving liberty to the petitioners to take recourse to appropriate authority, as per law. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-
Assistant Registrar(J)

//True Copy//

Sub Assistant Registrar

mmi

¹ (2015) 7 MLJ 860

To

1.The State Commissioner for
Differently Abled,
O/o.State Commissioner for
Differently Abled, J.N.Ring Road,
Chennai - 78.

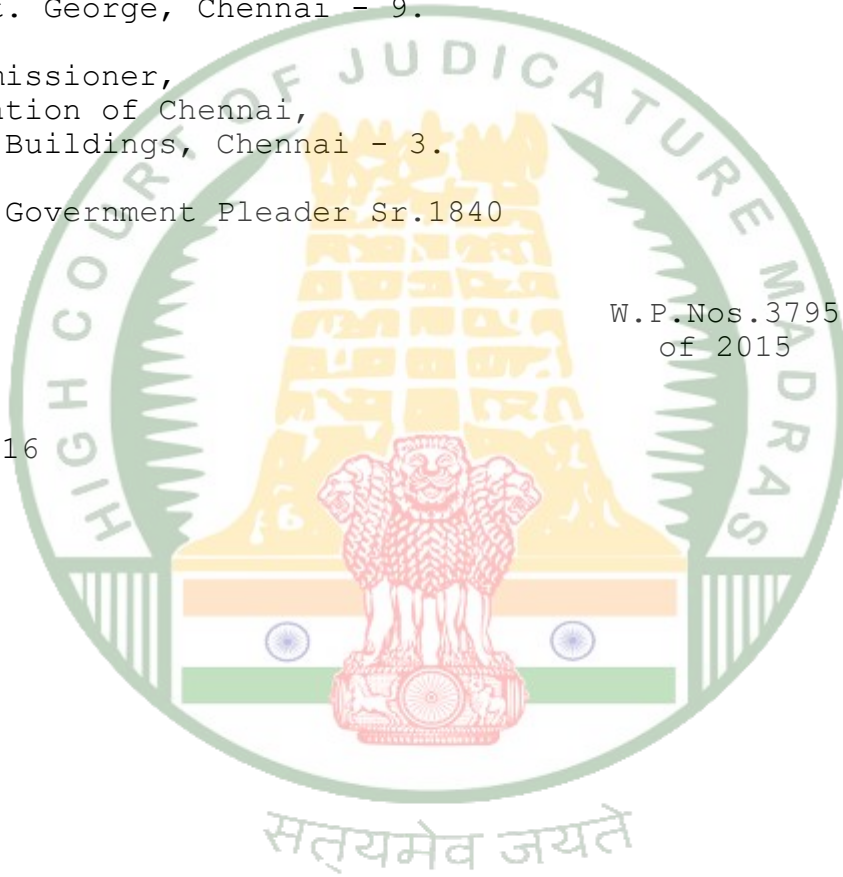
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3.The Commissioner,
Corporation of Chennai,
Rippon Buildings, Chennai - 3.

+ 1 cc to Government Pleader Sr.1840

W.P.Nos.37957 to 37959
of 2015

BVR(CO)
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