

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 01.02.2016

CORAM

THE HONOURABLE MR. JUSTICE T.S.SIVAGNANAM

W.P. No.3584 of 2016 &
WM.P.No. 2954 of 2016

L.Rajasekar

[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 22.01.16 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 the petitioner at Ashok Nagar 11th Main Road near Bus Stop opposite to 54th Street Ashok Nagar Chennai-83.

For Petitioner : Mr.S.Pushpakaran

For Respondents : Mr.R.Rajeswaran - R1
Spl.Govt.Pleader
Mr.P.V.Selvakumar - R2

O R D E R

Heard Mr.S.Pushpakaran, learned counsel for the petitioner, Mr.R.Rajeswaran, learned Special Government Pleader 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 22.01.16 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 him at Ashok Nagar 11th Main Road near Bus Stop opposite to 54th Street Ashok Nagar Chennai-83.

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 him. 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 22.01.2016 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(CCC)

//True Copy//

Sub Assistant Registrar

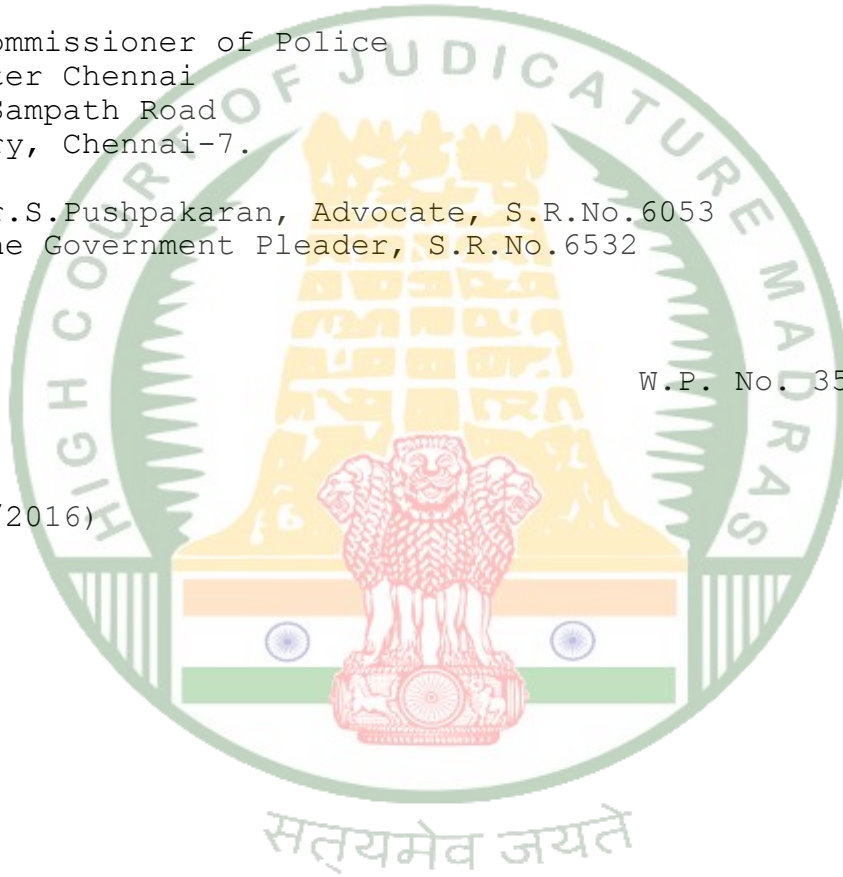
To

- 1 The Government of Tamilnadu
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EVK Sampath Road
Vepery, Chennai-7.

+1cc to Mr.S.Pushpakaran, Advocate, S.R.No.6053
+1cc to the Government Pleader, S.R.No.6532

W.P. No. 3584 of 2016

gj (CO)
srg(10/02/2016)



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