

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 20.12.2016

CORAM

THE HON'BLE MR.JUSTICE T.RAJA

W.P.No.43685 of 2016

M.Shanmugam

... Petitioner

vs.

The Commissioner  
Corporation of Greater Chennai,  
Ribbon Building,  
Chennai - 600 003.

....Respondent

Writ Petition filed under Article 226 of the Constitution of India praying this Court to issue a writ of mandamus, to direct the respondent to consider the petitioner's representation, dated 18.10.2016 sympathetically.

For petitioner : Mr.V.S.Mannarsamy

For respondent : Mr.P.V.Selvakumar

O R D E R

The petitioner, Mr.M.Shanmugam after putting up a small bunk shop behind DMS complex at Ward 118, Part 24, Zone 9 of Chennai Corporation was disturbed by the Commissioner, Corporation of Greater Chennai. Therefore, he has rushed to this Court seeking writ of mandamus to consider his representation, dated 18.10.2016 sympathetically.

2. But this Court is not inclined to entertain the writ petition for two reasons. Firstly, without getting any license from the Commissioner, Corporation of Greater Chennai, he has admitted that he has put up a small bunk shop behind the DMS complex at Ward 118, Part 24, zone 9 of Chennai Corporation and running it for the past five years. Without obtaining any license, it is not known how he has set up bunk shop behind the DMS complex. Secondly, his claim that he is entitled to get the benefit of Section 4 of the Street Vendors (Protection of Livelihood and Regulation of Street Vending) Act is also without merit.

The reason is that when he himself has admitted and pleaded in his affidavit that he has put up a bunk shop, he is not entitled to the benefit of the said Street Vendors (Protection of Livelihood and Regulation of Street Vending) Act.

3. Thus, for the reasons stated above, the writ petition fails and the same is dismissed. No Costs.

Sd/-

Assistant Registrar (CS-III)

//True Copy//

Sub Assistant Registrar

tsvn

To

The Commissioner  
Corporation of Greater Chennai,  
Ribbon Building, Chennai - 600 003.

+1cc To Mr.Mannarsamy, Advocate, sr. 74509

W.P.No.43685 of 2016

CO (GMI)

RMP (23/01/2017)

सत्यमेव जयते

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