

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.02.2016

CORAM

THE HONOURABLE MR. JUSTICE T.S.SIVAGNANAM

W.P.No.6007/2016 & WMP.No.5333/2016

N.Rajamanickam

.. Petitioner

Vs

1.The Secretary

Government of Tamil Nadu
Local Administration Department
Secretariat, Fort St. George,
Chennai 600 009.

2.The State Commissioner for Differently
Abled Persons, O/o.The State Commissioner
for Differently Abled Persons, SRDC,
Jawaharlal Nehru Inner Ring Road
K.K.Nagar, Chennai 600078.

3.The Commissioner
Corporation of Chennai
Rippon Buildings, Chennai 600 003.

4.The Commissioner of Police
Greater Chennai, Vepery, Chennai 600007.

... Respondents

Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus directing the 3rd respondent to consider and pass orders on the petitioner's representation dated 23.01.2016 as per the provisions of Street Vendors [Protection of Livelihood and Regulation of Street Vending] Act, 2014 and till final decision is taken thereon, forbearing the respondents and their subordinates in any manner evicting or disturbing the bunk shop run by the petitioner at Old No.38, New No.125, Rukkumani Lakshmipathi Road, Egmore, Chennai 600008.

For Petitioner : Mr.S.Pushpakaran
For RR 1, 2 & 4 : Mr.N.Roofas Abraham, GA
For R3 : Mr.P.V.Selvakumar

ORDER

Heard Mr.S.Pushpakaran, learned counsel for the petitioner ; learned Mr.N.Roofas Abraham, learned Government

Advocate accepting notice on behalf of the respondents 1, 2 and 4 ; and Mr.P.V.Selvakumar, learned counsel accepting notice on behalf of the 3rd respondent and with their consent, this writ petition is taken up for final disposal at the admission stage itself.

2 The petitioner has filed this writ petition seeking for issuance of a writ of mandamus to direct the 3rd respondent to consider his representation dated 23.01.2016 as per the provisions of Street Vendors [Protection of Livelihood and Regulation of Street Vending] Act, 2014 and till final decision is taken thereon, forbearing the respondents and their subordinates in any manner evicting or disturbing the bunk shop run by the petitioner at Old No.38, New No.125, Rukkumani Lakshmipathi Road, Egmore, Chennai 600008.

3 The petitioner 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 dated 23.01.2016 to the 3rd respondent and thereafter, has come up with the above writ petition.

4 Without expressing any opinion on the merits of the case, the writ petition is disposed of with a direction to the 3rd respondent to consider the petitioner's representation dated 23.01.2016 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. No costs. Consequently, connected miscellaneous petition is closed.

5 Till such time, the 3rd respondent passes appropriate orders, the petitioner shall not be dis-posessed from the place.

सत्यमेव जयते
Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

To

1.The Secretary

Government of Tamil Nadu
Local Administration Department
Secretariat, Fort St. George,
Chennai 600 009.

2.The State Commissioner for Differently
Abled Persons, O/o.The State Commissioner
for Differently Abled Persons, SRDC,
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3.The Commissioner

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4.The Commissioner of Police

Greater Chennai, Vepery, Chennai 600007.

+1cc to Mr.S.Pushpakaran, Advocate, S.R.No.10180

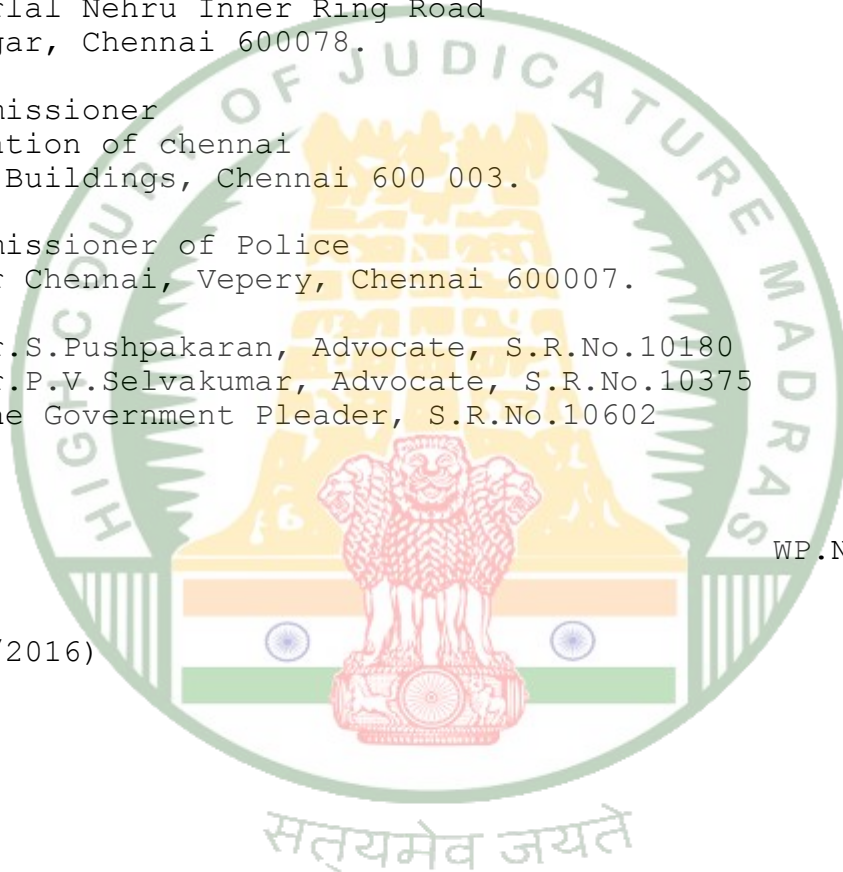
+1cc to Mr.P.V.Selvakumar, Advocate, S.R.No.10375

+1cc to the Government Pleader, S.R.No.10602

vgi (CO)

srg (02/03/2016)

WP.No.6007/2016



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