

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 23.02.2016

Coram

The Hon'ble Mr. Justice T.S.SIVAGNANAM

Writ Petition No.6533 of 2016

&

W.M.P.No.5811 of 2016

J.Rathy

...Petitioner

Vs.

1.The Government of Tamilnadu  
Rep by its Secretary, Local  
Administration Dept  
Secretariat, Fort.St.George  
Chennai-600 009

2.The State Commissioner for  
Differently Abled persons  
Office of the State Commissioner for  
Differently abled persons  
SRDC, Jawaharlal Nehru Inner Ring Road  
K.K.Nagar, Chennai-600 078

3.The Commissioner  
Corporation of Chennai  
Rippon Building  
Chennai-600 003

4.The Commissioner of Police  
Greater Chennai  
Vepery, Chennai-600 007

...Respondents

Writ Petition filed under Article 226 of the Constitution of India, for issuance of Writ of Mandamus directing the 3<sup>rd</sup> respondent to consider and pass orders on the petitioner's representation dated 23.01.2016 as per the provisions of Street Vending (Protection of Livelihood and Regulation of Street Vendors 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.4, New No.149, Montieth Road, Egmore, Chennai-600 008.

|                 |     |                                  |
|-----------------|-----|----------------------------------|
| For Petitioner  | ... | Mr.S.Pushpakaraan                |
| For respondents | ... | Mr.M.L.Mahendran for R 1,2 and 4 |
|                 |     | Mr.P.V.Selvakumar for R3         |

O R D E R

Heard learned counsel for the petitioner, Mr.M.L.Manoharan, learned counsel for respondents 1,2 and 4 and Mr.P.V.Selvakumar for the 3<sup>rd</sup> respondent.

2. With the consent of the learned counsel appearing on either side, the writ petition is taken up for final disposal, at the admission stage itself.

3 This writ petition has been filed praying to direct the second 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 Vendors 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.4, New No. 149, Montieth Road, Egmore, Chennai-8.

4. The petitioner is running 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 3<sup>rd</sup> respondent and thereafter, has come up with the above writ petition.

5. Without expressing any opinion on the merits of the case, the writ petition is disposed of with a direction to the 3<sup>rd</sup> respondent to consider the representation of the petitioner 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, the connected Miscellaneous Petition is closed.

6 Till such time, the 3<sup>rd</sup> respondent passes appropriate orders, the petitioner shall not be dis-posessed from the place.

Sd/-  
Assistant Registrar(J)

//True Copy//

Sub Assistant Registrar

To

1.The Secretary to Government of Tamilnadu  
Local Administration Dept  
Secretariat, Fort.St.George  
Chennai-600 009

2.The State Commissioner for  
Differently Abled persons  
Office of the State Commissioner for  
Differently abled persons  
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3.The Commissioner  
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Rippon Building  
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4.The Commissioner of Police  
Greater Chennai  
Vepery, Chennai-600 007

+ 1 cc to MR.P.V. Selvakumar, Advocate Sr.11167  
+ 1 cc to M/s. S.Pushpakaran, Advocate SR.11222

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&  
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SAI (CO)  
Eu 17.03.16

सत्यमेव जयते

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