

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.03.2017

CORAM

THE HON'BLE MR.HULUVADI G.RAMESH, ACTING CHIEF JUSTICE

AND

THE HON'BLE MR.JUSTICE RMT.TEEKAA RAMAN

W.P.No.6783 of 2017

J.Sivalingam ... Petitioner

Vs.

1. The Commissioner,
Corporation of Chennai,
Ribbon Buildings,
Chennai - 600 003.

2. The Chairperson/
Zonal Executive Engineer Zone V,
(The Township Vending Committee),
Corporation of Chennai,
Basin Bridge Salai,
Chennai - 600 079.

... Respondents

PRAYER: Petition under Article 226 of the Constitution of India for issuance of a writ of mandamus directing the respondents to consider and pass orders on the petitioner's representation dated 11.03.2017 as per the provisions of the Street Vendors (Protection of Livelihood Regulation) Act 2014 made for granting permission/ Certificate of Vending and till such time not to disturb with the running of the petitioner's Bunk Shop near Neval Hospital Road, 2nd Street, Dr.Ambethkar Nagar (Near Sathguru Transports), Periyamet, Chennai-600 003.

For Petitioner : Mr.E.Naveen

For Respondents : Mr.V.C.Selvasekaran

ORDER

(Order of the Court was made by the Acting Chief Justice)

Mr.V.C.Selvasekaran, learned counsel takes notice for the respondents.

2. Heard the learned counsel for the petitioner and the

learned counsel for the respondents.

3. The petitioner has filed this writ petition seeking issuance of a writ of mandamus directing the respondents to consider and pass orders on the petitioner's representation dated 11.03.2017 as per the provisions of the Street Vendors (Protection of Livelihood Regulation) Act 2014 made for granting permission/ Certificate of Vending and till such time not to disturb with the running of the petitioner's Bunk Shop near Neval Hospital Road, 2nd Street, Dr.Ambethkar Nagar (Near Sathguru Transports), Periyamet, Chennai-600 003 by selling Tea, Coffee and Food items.

4. It is the case of the petitioner that the petitioner is running bunk shop near Neval Hospital Road, 2nd Street, Dr.Ambethkar Nagar (Near Sathguru Transports), Periyamet, Chennai-600 003 by selling Tea, Coffee and food items for the past several years without disturbing general public or hindering traffic. However, it is alleged that the respondent authorities are interfering with the running of the bunk shop. Hence, the present writ petition has been filed.

5. In view of the Vending Committee having been constituted vide G.O. (4D) No.5, Municipal Administration and Water Supply (MCI) Department, dated 05.10.2016 and the proceedings of the Commissioner of Corporation in RDC.No.007/2016, dated 1.11.2016 nominating the members of the Vending Committee, we are not inclined to maintain the writ petition and it is for the petitioner to approach the Vending Committee and submit a representation within a week from today. On such representation being made, the same be considered by the Vending Committee in accordance with law within a period of three months and till such time, no coercive action shall be taken against the petitioner. All the grounds urged in this petition can be raised before the Vending Committee.

6. The writ petition is disposed of accordingly. No costs.

Sd/-

Assistant Registrar

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Sub Assistant Registrar

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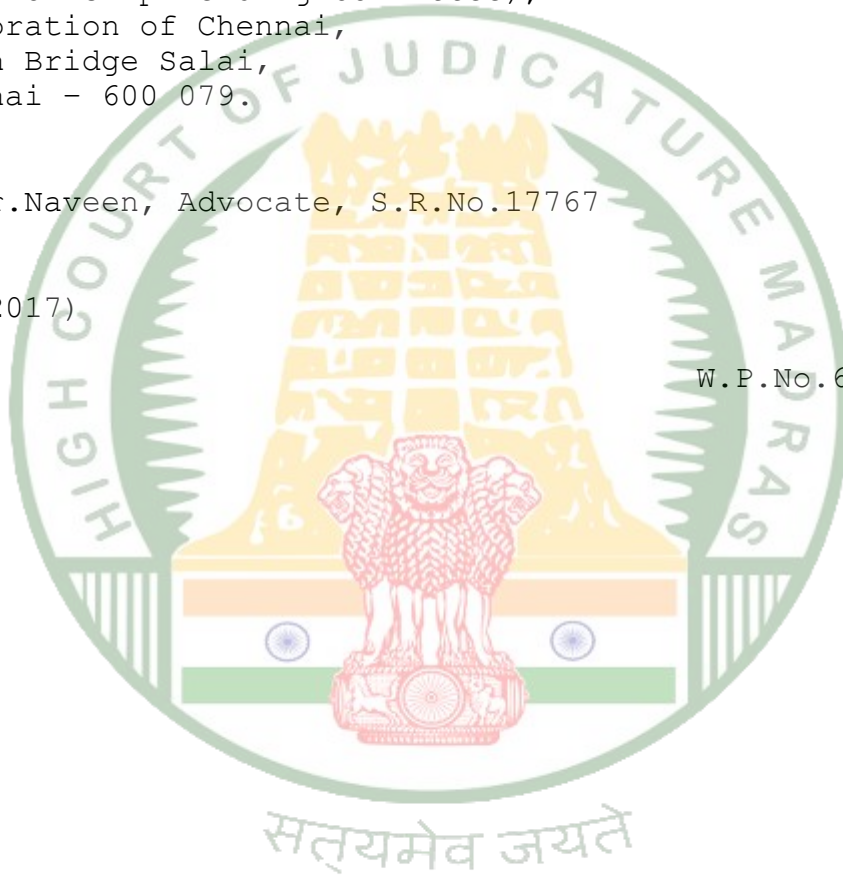
To

1. The Commissioner,
Corporation of Chennai,
Ribbon Buildings,
Chennai - 600 003.
2. The Chairperson/
Zonal Executive Engineer Zone V,
(The Township Vending Committee),
Corporation of Chennai,
Basin Bridge Salai,
Chennai - 600 079.

+lcc to Mr.Naveen, Advocate, S.R.No.17767

KJ(CO)
RS(23/03/2017)

W.P.No.6783 of 2017



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