

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 27.02.2017

CORAM :

The Hon'ble MR.HULUVADI G.RAMESH, ACTING CHIEF JUSTICE

AND

The Hon'ble MR.JUSTICE R.MAHADEVAN

W.P.Nos.4860 & 4861 of 2017

AND

W.M.P.Nos.5070 & 5071 of 2017

Manjula .. Petitioner in W.P.4860/2017

Gangammal .. Petitioner in W.P.4861/2017

-vs-

1.The Chairman,
Hawking Zone Implementation Committee,
7/6, R.A.Puram, III rd street,
Raja Annamalaipuram,
Chennai-600 027.

2.The Commissioner of Madras,
Rippon Building,
Chennai - 600 003.

3.The Assistant Commissioner,
Old Zone
No.8, New Zone 10,
Chennai - 600 024.

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

5.The Inspector of Police,
R1 Mambalam Police Station.

6.The Inspector of Police (Traffic),
R4, Pondy Bazaar Police Station,
Chennai - 600 017.

... Respondents in both WPs

Common Prayer: Writ Petitions filed under Article 226 of the Constitution of India praying for issuance of Writ of Mandamus forbearing the respondents from evicting the petitioners except due process of law and regularise the petitioners u/s.12(1) of provisions of Street Vendors Protection of Livelihood and Regulation of Street Vending Act 7 of 2014.

For Petitioners : Mr.N.Moorthi
In both WP's

For Respondents
In Both WP's : Mr.Master Ganesh for R1
Mr.R.Arunmozhi for R2 & R3
Mr.M.K.Subramanian
Govt. Pleader for R4 to R6

COMMON ORDER

(Order of the Court was made by The Hon'ble Acting Chief Justice)

Mr.Master Ganesh, learned counsel takes notice for the first respondent. Mr.R.Arunmozhi, learned counsel takes notice for respondents 2 and 3 and Mr.M.K.Subramanian, learned Government Pleader takes notice for respondents 4 to 6.

2. The petitioners seek issuance of a writ of mandamus forbearing the respondents from evicting the petitioners except by due process of law and regularise the petitioners under Section 12(1) of provisions of Street Vendors Protection of Livelihood and Regulation of Street Vending Act 7 of 2014.

3. The learned Government Pleader submits that the petitioners have been evicted from the places where they are carrying on vending business. However, the same is disputed by the learned counsel for the petitioners.

4. On hearing the learned counsel for the petitioners, suffice it to direct the Vending Committee constituted vide G.O. (4D) No.5, Municipal Administration and Water Supply (MCI) Department, dated 05.10.2016, to consider the case of the petitioners and pass appropriate orders in accordance with law within three months from the date of receipt of a copy of this order and till such time, no coercive action shall be taken against the petitioners, if they are not already evicted. All the grounds urged in these petitions can be raised before the Committee.

These petitions are disposed of accordingly. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-
Asst.Registrar

/true copy/

Sub Asst. Registrar

To

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6.The Inspector of Police (Traffic),
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Chennai - 600 017.

+2cc to M/s. R. Arunmozhi, Advocate Sr. 12364

+2cc to Government Pleader Sr. 12750, 12748

W.P.Nos.4860 & 4861 of 2017

PVS(CO)
VR(21/03/2017)

सत्यमेव जयते

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