

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 10.5.2017

CORAM :

THE HONOURABLE MR.JUSTICE K.KALYANASUNDARAM

AND

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

WRIT PETITION NOS.11138 & 11139 OF 2017 & WMP.NO.12075 of 2017

R.Baskar

...Petitioner in  
WP.11138/2017

R.Arul

...Petitioner in  
WP.11139/2017

Vs

1. The Commissioner, Corporation of Chennai, Chennai-3. ...R1 in all the WPs
2. The Chairperson/Zonal Officer, Zone X, (the Township Vending Committee), Corporation of Chennai, Kodambakkam, Chennai-24. ...R2 in WP.No. 11138 of 2017
3. The Chairperson/Zonal Executive Engineer (Zone 5), Corporation of Chennai, Basin Bridge Road, Chennai-21.
4. The Assistant Engineer, Corporation of Chennai, Division No.62, Zone V, Chennai-2. ...R2 & R3 in WP. No.11139 of 2017

PETITIONS under Article 226 of The Constitution of India praying for the issuance of (i) a Writ of Certiorarified Mandamus to call for the records pertaining to the order passed by the second respondent in Z.O.X. C.No. 2608 of 2017 dated 12.4.2017, quash the same and direct the second respondent to pass appropriate orders on the petitioner's representation dated

11.3.2017 in accordance with the provisions of the Street Vendors (Protection of Livelihood Regulation) Act, 2014, till such time not to disturb with the peaceful running of the petitioner's bunk shop at Vadapalani Bus Depot Compound, near R-8 Police Booth, Opposite to Doshi Housing Limited, Arcot Road, Chennai-26 and (ii) a Writ of Mandamus directing the respondents to consider and pass orders on the petitioner's representation dated 19.4.2017 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 Chintatripet Railway Station, Opposite to May Day Park, Deputy Mayor Kabalamoorthy Road, Chennai-2 respectively.

For Petitioners : Mr.E.Naveen

For Respondents : Mr.V.C.Selvasekaran

COMMON ORDER

(Order of the Court was made by K.KALYANASUNDARAM, J)

W.P.No.11138 of 2017 has been filed seeking to quash the order passed by the second respondent rejecting the representation of the petitioner to grant permission/licence and to direct the second respondent to consider his representation in accordance with the provisions of the Street Vendors (Protection of Livelihood Regulation) Act, 2014. W.P.No.11139 of 2017 has been filed seeking a direction to the respondents to consider the petitioner's representation dated 19.4.2017 in accordance with the provisions of the said Act and to grant permission/certificate of vending to the petitioner. In W.P.No.11138 of 2017, an interim order has been sought restraining the respondents from interfering with the business of the petitioner.

2. Learned counsel for the petitioners submits that though the petitioners approached the Vending Committee, their request was not acceded to nor any decision has been taken so far.

3. We direct the respective Vending Committees to take a decision on the representations of the respective petitioners dated 11.3.2017 and 19.4.2017 in accordance with law and in particular, the provisions of the Street Vendors (Protection of Livelihood Regulation) Act, 2014 and the Rules framed thereunder, within a period of eight weeks from the date of communication of this order.

4. These writ petitions are disposed of accordingly. No costs. Consequently, the above WMP is closed.

Sd/-  
Asst.Registrar

/true copy/

Sub Asst. Registrar

RS

To

1. The Commissioner, Corporation of Chennai, Chennai-3.
2. The Chairperson/Zonal Officer, Zone X, (the Township Vending Committee), Corporation of Chennai, Kodambakkam, Chennai-24.
3. The Chairperson/Zonal Executive Engineer (Zone 5), Corporation of Chennai, Basin Bridge Road, Chennai-21.
4. The Assistant Engineer, Corporation of Chennai, Division No.62, Zone V, Chennai-2.

+2ccs to M/S.E.Naveen, Advocate Sr. 37123,37124

WP.Nos.11138 & 11139 of 2017  
and WMP.No.12075 of 2017

SAI (CO)  
VR(16/5/2017)

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