

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED:03.07.2017

CORAM:

THE HONOURABLE MR. JUSTICE M.SATHYANARAYANAN
AND
THE HONOURABLE MR. JUSTICE N.SESHASAYEE

W.P.Nos.15988 to 15990/2017

E.Anandhi	..	Petitioner in
		WP.No.15988/2017
K.Viswanathan	..	Petitioner in
		WP.No.15989/2017
Madhana Gopal	...	Petitioner in
		WP.No.15990/2017

Vs

1. The Commissioner
Corporation of Chennai
Rippon Buildings, Chennai 600 003.
 2. The Chairperson / Zonal Executive
Engineer [Zone-13], [The Township
Vending Committee], Corporation
of Chennai, Chennai 600090.
- ...Respondents
in all WPs

Prayer in WP.No.15988/2017:- Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of mandamus directing the respondents to consider and pass orders on the petitioner's representation dated 06.06.2017 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 just opposite to Shifa Medicals, No.1/16, 2nd Avenue, Besant Nagar, Chennai 600090, wherein selling tea, coffee and food items by using LPG Stove.

Prayer in WP.No.15989/2017:- Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of mandamus directing the respondents to consider and pass orders on the petitioner's representation dated 06.04.2017 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 just opposite to Institute of Financial Management and

Research, Kothari Road, Nungambakkam, Chennai-34, wherein selling tea, coffee and food items by using LPG Stove.

Prayer in WP.No.15990/2017:- Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of mandamus directing the respondents to consider and pass orders on the petitioner's representation dated 06.06.2017 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 just opposite to Azhaghu Muthukone Statue, near Lions Club Public Toilet, Egmore, Chennai-600 008, wherein selling tea, coffee and food items by using LPG Stove.

For Petitioners in
all WPs : Mr.R.Kamaraj

For RR 1 & 2 in all
WPs : Mr.R.Arunmozhi

COMMON ORDER

[Order of the Court was made by M.SATHYANARAYANAN, J.]

By consent, the writ petitions are taken up for final disposal. Mr.R.Arunmozhi, learned Standing Counsel accepts notice on behalf of the respondents. Since the issue lies in a very narrow campus, these writ petitions are disposed of by the following common order.

2 The petitioner in WP.No.15988/2017 claims to be a differently abled person and she is running a bunk shop just opposite Shifa Medicals, No.1/16, 2nd Avenue, Besant Nagar, Chennai 600090, wherein she sells tea, coffee and other food items strictly in conformity with the Food Safety Laws.

3 The petitioner in WP.No.15989/2017 claims to be a differently abled person and he is running a bunk shop just opposite to Institute of Financial Management and Research, Kothari Road, Nungambakkam, Chennai-34, wherein he sells tea, coffee and other food items strictly in conformity with the Food Safety Laws.

4 The petitioner in WP.No.159990/2017 also claims to be a differently abled person and he is running a bunk shop just opposite to Azhaghu Muthukone Statue, near Lions Club Public Toilet, Egmore, Chennai-600 008, wherein he sells tea, coffee and other food items strictly in conformity with the Food Safety Laws.

5 The learned counsel for the petitioners would submit that in the light of the enactment of Street Vending [Protection of Livelihood Regulation] Act, 2014, and the rules

framed therein, the petitioners have submitted representations to the 2nd respondent praying for permission to continue the street vending business and despite receipt and acknowledgment, no orders have been passed and in the interregnum, steps are being taken to dispossess them without recourse to law and hence, prays for appropriate orders.

6 Per contra, Mr.R.Arunmozhi, learned Standing Counsel appearing for the respondents would submit that the petitioner in WP.No.15988/2017 is neither the owner nor the licensee of the bunk shop in question and the petitioners in WP.Nos.15989 & 15990/2017 are having only push-carts.

7 This Court has considered the rival submissions and also perused the materials placed before it.

8 Though the petitioners pray for a larger relief, this Court, in the light of the above facts and circumstances and without going into the merits of the claim projected by them, directs the 2nd respondent to consider and dispose of the individual representations submitted by the petitioners dated 06.04.2017 and 06.06.2017 on merits and in accordance with law and pass appropriate orders as expeditiously as possible and not later than eight weeks from the date of receipt of a copy of this order and communicate the decision taken, to the petitioners.

9 The writ petitions stand disposed of with the above direction. No costs.

s/d-

Assistant Registrar (CS-III)

True Copy

Sub-Assistant Registrar

AP
To

1. The Commissioner
Corporation of Chennai
Rippon Buildings, Chennai 600 003.
 2. The Chairperson / Zonal Executive
Engineer [Zone-13], [The Township
Vending Committee], Corporation
of Chennai, Chennai 600090.
- +2 Ccs to Mr.R.Kamaraj, Advocate sr 46198
+1 CC to Mr.R.Arunmozhi, Advocate sr 46385

WP.Nos.15988 to 15990/2017

sp(18/07/2017)