

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED:17.07.2017

CORAM:

THE HONOURABLE MR. JUSTICE M.SATHYANARAYANAN

AND

THE HONOURABLE MR. JUSTICE N.SESHASAYEE

W.P.No.17982/2017

Hariprasath

.. Petitioner

Vs

1.The Commissioner
Corporation of Chennai
Rippon Building, Chennai 600 003.

2.The Chairperson/Zonal Executive Engineer,
[Zone-9], [The Tonwnship Vending
Committee], Corporation of Chennai
Chennai.

.. Respondents

Prayer:- 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 22.06.2017 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 Bharath Petrol Bunk, Teynampet, Chennai-600 018, wherein selling tea, coffee and food items by using LPG Stove.

For Petitioner : Mr.R.Kamaraj
For RR 1& 2 : Mr.A.Nagarajan

ORDER

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

By consent, the writ petition is taken up for final disposal. Mr.A.Nagarajan, learned Standing Counsel accepts notice on behalf of the respondents.

2 The petitioner claims that he is otherwise abled [differently abled] and he has been issued with the Disability Certificate by the District Disability Welfare Officer, Chennai and he would claim that he is running a Bunk Shop/Stall just opposite to Bharat Petrol Bunk, Teynampet, Chennai-18 and in the said shop, he is selling tea, coffee and food items in a hygienic manner by using LPG stove and out of the meager income earned, he is maintaining himself and his family. The petitioner would further state that in the light of the enactment of the Street Vendors [Protection of Livelihood Regulation] Act, 2014, he is entitled to avail the benefits under the said Act and in this regard, he has also submitted a representation dated 22.06.2017 to the 2nd respondent in person and the same was also acknowledged on the same day and it is yet to be disposed of. The apprehension expressed by the petitioner is that pendency of the said representation, he is likely to be dispossessed and hence, he came forward to file the present writ

petition.

3 Heard the submissions of the learned counsel appearing for the petitioner and Mr.A.Nagarajan, learned Standing Counsel appearing for the respondents.

4 Though the petitioner prays 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 the petitioner either in his representation or in this writ petition, directs the respondents to consider and dispose of the petitioner's representation dated 22.06.2017 on merits and in accordance with law within a period of ten weeks from the date of receipt of a copy of this order and till the disposal of the representation, the possession of the petitioner in respect of the Bunk shop in question, need not be disturbed and it is also made clear that the petitioner shall not, under the guise of running the Bunk shop, encroach upon the road margin and commit further encroachment and shall sell the food items strictly in accordance with the Food Safety and Standard Authority of India.

M.SATHYANARAYANAN, J.,
AND
N.SESHASAYEE, J.,
AP

5 The writ petition stands disposed of at the admission stage itself with the above direction. No costs.

[M.S.N., J.,] [N.S.S., J]
 17.07.2017

Index : No
 Internet : Yes
 AP
 To

- 1.The Commissioner
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 Rippon Building, Chennai 600 003.
- 2.The Chairperson/Zonal Executive Engineer,
 [Zone-9], [The Tonwnship Vending
 Committee], Corporation of Chennai
 Chennai.

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