



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 10.08.2017

CORAM

THE HONOURABLE MR.JUSTICE K.K.SASIDHARAN

and

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P.(MD) No.11133 of 2017

R.Prabhakaran

... Petitioner

-vs-

1.The District Collector,
Ramanathapuram District,
Ramanathapuram.

2.The Tahsildar,
Paramakudi Taluk,
Paramakudi,
Ramanathapuram District.

3.The Commissioner,
Paramakudi Municipality,
Paramakudi,
Ramanathapuram District.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the respondents to remove the unlicensed street vendors and stationary vendors from carrying out vending business in the public path way of Muthlamman Kovil Street, Angalamman Kovil Street, Sengupta Street and Rajaji Street comprised in 17th Ward, Paramakudi. Paramakudi Taluk, Ramanathapuram District on the basis of the communication made in O.Mu.A3/4895/2017 dated 11.04.2017 issued by the second respondent to the third respondent in accordance with law within the time stipulated by this Court.

For Petitioner

: Mr.D.Sadiqraja

For R1 & R2

: Mr.T.S.Mohamed Mohideen,
Additional Government Pleader.

For R3

: Mr.M.Kannan

O R D E R

[Order of the Court was made by **G.R.SWAMINATHAN, J.**]

1.The writ petitioner seeks direction to the respondents for removal of unlicensed street vendors and Stationery vendors from the public path way in Muthalamman Kovil Street, Angalamman Kovil Street, Sengupta Street and Rajaji Street comprised in 17th Ward, Paramakudi, Paramkudi Taluk, Ramanathapuram District.



2.The writ petitioner has given a representation dated 21.04.2017 in this regard. It is for the authorities to take action in the matter in accordance with the provisions set out in the Street Vendors (Protection of livelihood and Regulation of Street Vending) Act, 2014. The said Act contemplates a number of steps. Action for removal of the street vendors can be taken only in terms of the provisions of the statute. The respondents are directed to follow the mandate set out in the statute. It is not possible for this Court to issue direction to remove all the street vendors straight away. It is for authorities to follow the statutory procedure by undertaking survey, issuing licences and ear-marking vending and non-vending zones. It is the duty of the authorities to ensure that the right of access and movement of the general public is not affected. On account of the business activities of the concerned vendors. The 3rd respondent shall expedite the process.

3.With this direction this Writ petition is disposed of. No Costs.

Sd/-

Assistant Registrar(CRL. SIDE)

/True Copy/

Sub Assistant Registrar

To

1.The District Collector,
Ramanathapuram District,
Ramanathapuram.

2.The Tahsildar,
Paramakudi Taluk,
Paramakudi,
Ramanathapuram District.

3.The Commissioner,
Paramakudi Municipality,
Paramakudi,
Ramanathapuram District.

+1cc to THE SPECIAL GOVERNMENT PLEADER in SR. No. 72601

+1cc to Mr.M.KANNAN Advocate in SR. No. 71875

+1cc to Mr.D.SADIQ RAJA Advocate in SR. No.72276

DSS/SSS

JS/MR.KKR/SAR.4/18.09.2017/2P-7C

W.P. (MD) No.11133 of 2017

10.08.2017