

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

DATED : 27.11.2017

CORAM

THE HONOURABLE MR. JUSTICE R. MAHADEVAN

W.P. (MD) No. 20033 of 2017

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V. Saraswathi

... Petitioner

Vs.

1. The District Collector,
Madurai District,
Madurai.

2. The Tahsildar
Madurai North Taluk,
Madurai Collector Office Complex,
Madurai

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the respondents to pay compensation to petitioner for the illegal demolition of petitioner's stall and damaging of the articles used for petitioner's day to day business in petitioner's shop at Alagarkovil Main Road, Madurai, by considering petitioner's representation dated 23.10.2017.

For Petitioner : Mr. A. Haja Mohideen
For Respondents : Mr. J. Gunaseelan Muthiah,
Government Advocate

ORDER

This writ petition has been filed by the petitioner to issue a Writ of Mandamus, directing the respondents to consider her representation dated 23.10.2017, to pay compensation to her for the illegal demolition of the stall and articles in her shop at Alagarkovil Main Road, Madurai.

2. According to the petitioner, she was engaged in the business of selling idli and food articles in a road side stall situated at Alagarkovil Main Road, near Madurai Kamaraj University, Madurai, after getting due permission from the respondents. While so, the grievance of the petitioner is that the second respondent, without following G.O.No.8, Street Vendors (Protection of Livelihood and Regulation of Street Vending) Act, 2014 and G.O.No.230, Tamil Nadu Street Vendors (Protection of livelihood and Regulation of Street Vending) Scheme and Rules, 2015, published a news, stating that they are going to remove the encroachments in the road side and pursuant to the same, on



09.10.2017, the said stall of the petitioner was demolished. Thereafter, the petitioner submitted a representation before the respondents dated 23.10.2017, for permitting to continue the stall. As the same has not been considered so far, the petitioner is before this Court, with the aforesaid prayer.

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3. Heard, the learned counsel appearing for the petitioner as well as the learned Government Advocate appearing for the respondents.

4. The learned Government Advocate appearing for Respondents would submit that if reasonable time is granted to the respondents, the representation of the petitioner will be considered and suitable orders passed.

5. Considering the limited scope of the relief sought for, this Court, without going into the merits of the petitioner's claim, directs the respondents to consider the representation of the petitioner dated 23.10.2017 and pass appropriate orders on its own merit and in accordance with law, after affording due opportunity of hearing to the petitioner, within a period of eight weeks from the date of receipt of a copy of this order.

6. With the above direction, this writ petition is disposed of. No costs.

Sd/-

Assistant Registrar(CS-I)

/True Copy/

Sub Assistant Registrar

To

1. The District Collector,
Madurai District,
Madurai.

2. The Tahsildar
Madurai North Taluk,
Madurai Collector Office Complex,
Madurai.

+1cc to Mr.A.Haja Mohideen, Advocate Sr.No.89494

+1cc to Spl.Government Pleader Sr.No.89811

RM

VB/JC/SAR4/20/12/2017/2P/5C