



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

**DATED: 23.08.2017**

CORAM:

**THE HONOURABLE MR.JUSTICE R.MAHADEVAN**

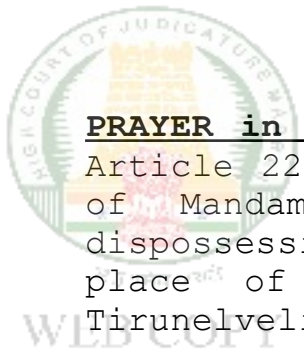
**W.P(MD) Nos.11486 and 11487 of 2016 and  
W.M.P. (MD) Nos.8792 and 8793 of 2016**

Nellai Mavatta Salayora Vyaparigal Sangam  
(Regn.No.91/TIN)  
Affiliated to Nellai Mavatta Podu Tholilargal Sangam-CITU,  
Office at No.25-A, Rajendra Nagar,  
1<sup>st</sup> Street, Palayamkottai,  
Tirunelveli District,  
Rep. by its Vice President,  
Mr.S.K.Senthil ... Petitioner in both petitions

-vs-

1. The Union of India,  
Rep. by Secretary to Government,  
Ministry of Eradication of Poverty &  
Employment Development Department,  
Nirman Bhavan, New Delhi-110 011.
2. The Secretary to Government,  
Municipal Administration & Water Supply Department,  
Government of Tamil Nadu,  
Fort St.George, Chennai-600 001.
3. The District Collector,  
Office of the District Collector,  
Tirunelveli.
4. The Commissioner,  
Tirunelveli City Corporation,  
Tirunelveli.
5. The Commissioner of Police,  
Tirunelveli City. ... Respondents in both petitions

**PRAYER in W.P(MD) No.11486 of 2016:** Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, forbearing the respondents from in any way dispossessing the members of the petitioner association from their place of street vending business at Vadakku Ratha Veedhi, Tirunelveli Town.



**PRAYER in W.P(MD) No.11487 of 2016:** Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, forbearing the respondents from in any way dispossessing the members of the petitioner association from their place of street vending business at Keela Ratha Veedhi, Tirunelveli Town.

|                             |                           |
|-----------------------------|---------------------------|
| For Petitioners in both WPs | : Mr.B.Jameel Arasu       |
| For R1 & R2 in both WPs     | : Mr.N.Shanmugaselvam     |
| For R3 & R5 in both WPs     | : Mr.M.Alagathevan        |
|                             | Spl. Govt. Pleader        |
| For R4 in both WPs          | : Mr.Aayiram K.Selvakumar |

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### **C O M M O N O R D E R**

These writ petitions have been filed, seeking to forbear the respondents from in any way dispossessing the members of the petitioner association from their respective places of street vending business at Vadakku Ratha Veedhi, Tirunelveli Town and Keela Ratha Veedhi, Tirunelveli Town.

2. Heard the learned counsel for the parties.

3. It is the case of the petitioner association that their members, who are poor, uneducated and unemployed, are street vendors, doing business in the Streets to eke out their livelihood. It is alleged by the petitioner association that the respondents/authorities are interfering with their day to day activities and are trying to forcibly dispossess them from the places of their business. Though the petitioner association had given several representations to the respondents in this regard, the last one of which was dated 20.06.2016 and 13.06.2016 respectively, no decision has been taken thereon till now. Hence, aggrieved by the action of the respondents, the petitioner association is before this Court with the above prayer.

4. It is represented by the learned Special Government Pleader appearing for the respondents 3 and 5 that the respondents are inclined to form a Vending Committee as per G.O.(4D) No.5, Municipal Administration and Water Supply (MCI) Department dated 05.10.2016 and therefore, they require four weeks' time to complete the said process. The said submission is placed on record.

5. In view of the above submission, these writ petitions are disposed of. It is needless to state here that after forming the Committee, the representation of the petitioner association dated 20.06.2016 and 13.06.2016 shall be considered by the Committee and appropriate decision taken thereon and till such



time, no coercive steps shall be taken against the members of the petitioner association, by the respondents. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar(RTI)

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/True copy/

Sub Assistant Registrar

To:

1. The Secretary to Government,  
Union of India,  
Ministry of Eradication of Poverty &  
Employment Development Department,  
Nirman Bhavan, New Delhi-110 011.
2. The Secretary to Government,  
Municipal Administration & Water Supply Department,  
Government of Tamil Nadu,  
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4. The Commissioner,  
Tirunelveli City Corporation,  
Tirunelveli.
5. The Commissioner of Police,  
Tirunelveli City.

+1 cc to The Special Government Pleader , in SR.No. 74705

+1 cc to Mr.B.Jameel Arasu , Advocate in SR.No. 74338

ar/rm

AE/MR KKR/SAR1/08.09.2017/3P/8C

**W.P(MD) Nos.11486 and 11487 of 2016**  
**23.08.2017**