



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 20.12.2017

CORAM:

THE HONOURABLE MR. JUSTICE R. MAHADEVAN

W.P (MD) No.23470 of 2017

and

W.M.P. (MD) No.19733 of 2017

WEB COPY

- 1.M.Annamalai
- 2.R.Ganesan
- 3.G.Krishnamurthy
- 4.V.K.Pandian
- 5.B.Murugesan
- 6.G.Marimuthu
- 7.G.Srinivasan
- 8.A.Thangavel
- 9.S.Karuppaiah
- 10.T.Harikrishnan
- 11.G.Selvam
- 12.S.Muthuraj
- 13.S.Ravichandran
- 14.R.Marimuthu

... Petitioners

-vs-

1. The District Collector,
Office of the Collectorate,
Trichy District.
2. The Commissioner,
Trichy Municipal Corporation,
Trichy City.
3. The Commissioner of Police,
Trichy City.

... Respondents

PRAYER: 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 petitioners from their regular place of street vending business near M.G.R. Statute, Marakkadai, Trichy City.

For Petitioners	: Mr.B.Jameel Arasu
For R1 & R3	: Mr.M.Alagathevan
	Spl. Govt. Pleader
For R2	: Mr.N.S.Karthikeyan

ORDER

<https://hcservices.courts.gov.in/hcservices/> The writ petition has been filed, seeking to forbear the respondents from in any way dispossessing the petitioners from



their regular place of street vending business near M.G.R. Statute, Marakkadai, Trichy City.

2. Heard the learned counsel for the parties.

3. It is the case of the petitioners that the petitioners, who are poor, uneducated and unemployed, are street vendors, doing business in the Streets to eke out their livelihood. It is alleged by the petitioners 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 petitioners had given a joint representation dated 08.12.2017 to the respondents 2 & 3 in this regard, no decision has been taken thereon till now. Hence, aggrieved by the action of the respondents, the petitioners are before this Court with the above prayer.

4. It is represented by the learned Special Government Pleader appearing for the respondents 1 and 3 that the respondents have already formed a Vending Committee as per G.O.(4D) No.5, Municipal Administration and Water Supply (MCI) Department dated 05.10.2016 for deciding the issue. The said submission is stoutly refuted by the learned counsel for the petitioners stating that no such Committee has been formed till now.

5. Considering the facts and circumstances of the case and also taking into account the rival submissions, it is directed that after forming the Committee, if not already formed, the representation of the petitioners dated 08.12.2017 shall be considered by the Committee and appropriate decision be taken thereon on merits and in accordance with law. However, it is made clear that if no Committee has been constituted as on date, as averred by the learned counsel for the petitioners, no coercive steps shall be taken against the petitioners by the respondents. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar(AE)

/True copy/

Sub Assistant Registrar

To:

1. The District Collector,
Office of the Collectorate,
Trichy District.
2. The Commissioner,
Trichy Municipal Corporation,
Trichy City.



3. The Commissioner of Police,
Trichy City.

+1cc to Mr.N.S.KARTHIKEYAN, Advocate, SR. 93860
+1cc to Mr.B.JAMEEL ARASU, Advocate, SR. 94077

W.P (MD) No.23470 of 2017
20.12.2017

AR
KK/SV MMS/SAR 3/21.12.2017/ 3P- 6C/