



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 25.07.2017

CORAM:

THE HONOURABLE MR.JUSTICE R.MAHADEVAN

W.P(MD)No.15346 of 2016

and

W.M.P(MD)No.11308 of 2016

Mala

.. Petitioner

Vs.

1. The District Collector,
Madurai District, Madurai.

2. The Commissioner of Corporation,
Madurai Corporation, Corporation Office,
Madurai.

3. The Divisional Engineer,
Highways (C&M), Madurai.

.. Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus directing the second and third respondents to issue Street vendor license to the petitioner and till then forbearing the respondents, their officials, subordinates and servants to disturb or interfere with the petitioner's business at near to Door No.32, A.V.S.S. Compound, Kuruvikaran Salai, Madurai by considering her representations dated 18.07.2016 and 03.08.2016.

For Petitioner : Mr.N.Sekar

For Respondent No.1 : Mr.S.Kumar,
Additional Government Pleader.

For Respondent No.2 : Mr.N.Shanmuga Selvam

ORDER

This writ petition is filed seeking a writ of Mandamus to direct the second and third respondents to issue Street Vendor License to the petitioner and also to direct the respondents, their officials, subordinates and servants not to disturb or interfere with the petitioner's business, by considering her representations, dated 18.07.2016 and 03.08.2016.



2.The case of the petitioner is that she is a handicapped street vendor and she is running a petty shop near to Door No.32, A.V.S.S.Compound, Kuruvikaran Salai, Madurai. The grievance of the petitioner is that even though she applied before the respondents for issuance of street vendor license, they are trying to evict her. Therefore, she made a representation dated 18.07.2016, followed by a reminder dated 03.08.2016, seeking to follow the Street Vendors Protection Act, 2014. But, the same were not considered so far. Therefore, the petitioner is before this Court.

3.The learned counsel for the petitioner would submit that it would be suffice, if the representations of the petitioner dated 18.07.2016 and 03.08.2016 are disposed of by the second respondent as per law.

4.The learned counsel appearing for the second respondent would submit that the case of the petitioner would be considered in line with the Street Vendors Protection Act, 2014.

5.Considering the limited scope of the relief sought for, this Court, without going into the merits of the petitioner's claim, directs the second respondent to consider the representations of the petitioner dated 18.07.2016 and 03.08.2016 in the light of the Street Vendors Protection Act, 2014, 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 six weeks from the date of receipt of a copy of this order.

6.The writ petition is disposed of as above. No costs. Consequently, connected Miscellaneous Petition is closed.

Sd/-

Assistant Registrar(Writs)

/True Copy/

Sub Assistant Registrar

To

1. The District Collector,
Madurai District, Madurai.

2. The Commissioner of Corporation,
Madurai Corporation, Corporation Office,
Madurai.



3. The Divisional Engineer,
Highways (C&M), Madurai.

+1cc to Mr.N.Sekar, Advocate SR.No.68247

+1cc to Mr.N.Shanmuga Selvam, Advocate Sr.No.67478

+1cc to The Spl.Government Pleader Sr.No.68291

SMN

VB/SKN/RSK/SAR3/02/08/2017/3P/7C

ORDER MADE IN
W.P (MD) No.15346 of 2016
and
W.M.P (MD) No.11308 of 2016
25.07.2017