



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 31.07.2017

CORAM:

THE HONOURABLE MR. JUSTICE R. MAHADEVAN

WEB COPY

W.P(MD) No.19538 of 2016 and
W.M.P.(MD) Nos.14092 & 17233, 17234 & 14405 of 2016

Batlagundu All Textiles &
Readymade, Traders Association,
Regn.No.64/2016, through its
President R.Srinivasan,
Batlagundu, Dindigul District.

... Petitioner

-vs-

1. The District Collector,
Dindigul District.

2. The Executive Officer,
Batlagundu Town Panchayat,
Batlagundu.

3. The Vending Committee,
O/o.Batlagundu Town Panchayat through its chairman,
Batlagundu.

... Respondents

4. Durai Pushpam Mahal,
17.2.17, Kanavai Patty Road,
Batlagundu.

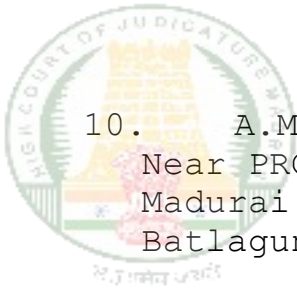
5. A.K.R.Thirumana Mahal,
Kanavai Patty Road,
Near Government Hospital,
Batlagundu.

6. Sri Vasavi Mahal,
8/455, Kadai Veedhi,
Batlagundu-5.

7. Sri Ramuthai Vel Mahal,
5.7.7A, Karpaga Vinayagar Kovil Street,
Batlagundu.

8. D.D.Lakshmi Kalyana Mahal,
Agraharam, Nadu Theru,
Batlagundu-2.

9. G.K.Kalyana Mahal,
2/841, Kannimar Kovil Street,
Pattiveeranpatty Road,



10. A.M.S.Rasi Hall,
Near PRC Depot.,
Madurai Main Road,
Batlagundu.
11. Velu Mahal,
Near I.P.Petrol Bunk,
Dindigul Main Road,
Batlagundu.
12. KSMM Kalyana Mahal,
Pachaipatty Pirivu,
Dindigul Main Road,
Batlagundu.
13. D.S.L.Mahal,
17.2.30/31, Kanavai Patty Road,
Batlagundu.
14. M.J.Kalyana Mahal,
Kanavai Patty Road,
Batlagundu-2.
15. Jeyaraj Meeting Hall,
Kadai Veedhi,
Batlagundu.
16. Sri V.R.Kalyana Mahal,
5.7.7A, Karpaga Vinayagar Kovil Street,
Batlagundu-2.
17. Ashma Kalyana Mahal,
17.2.31/1B, Kanavai Patty Road,
Batlagundu-2.
18. A.T.S.S.Vasanth Mahal,
Perumal Kovil Street,
Batlagundu.
19. Ganesh Mahal,
Periyakulam Main Road,
Batlagundu.
20. RPC Kalyana Mahal,
Madurai Main Road,
Batlagundu.
21. Batlagundu Nadar Uravin Murai
Sangam,
Rep. By its Secretary,
Having office at



S.G.Jeyaraja Nadar Meeting Hall,
Ulkadaiveethi, Batlagundu,
Dindigul District.

22. S.Porkodi Singaram

23. N.Abdul Jabar

.. Impleaded Respondents 4 to 23

(R4 to R23 impleaded vide order of this Court dated 31.07.2017)

Prayer: Petition filed under Article 226 of the Constitution of India, to issue a writ of Mandamus, forbear the respondents 2 and 3 from grating any license or permission to any private place or ground in Batlagundu Town as a vending place by disposing the petitioner's representation dt.29.08.2016 in the light of the rule 16 of Tamil Nadu street Vendors (Protection of Livelihood Regulation of street vending and Licensing) Scheme 2015.

For Petitioner ... Mr.R.Suriya Narayanan

For R1 to R3 ... Mr.J.Gunaseelan Muthiah
Govt. Advocate

For R4 to R23 ... Mr.R.Subramanian

ORDER

This writ petition has been filed, seeking to forbear the respondents 2 and 3 from granting any license or permission to any private place or ground in Batlagundu Town as a vending place, by disposing of the petitioner's representation dated 29.08.2016 in the light of Rule 16 of Tamil Nadu street Vendors (Protection of Livelihood Regulation of Street Vending and Licensing) Scheme 2015.

2. Heard the learned counsel for the parties.

3. When the matter was taken up for hearing, learned counsel for the petitioner Association has submitted that though the Association has sought for a larger relief, it has, however restricted its relief to the extent of consideration of the representation dated 29.08.2016, which has been given for prohibition of conversion of a private place into a vending site.

4. In view of the limited scope of the prayer sought for by the petitioner, this Court, without going into the merits of the matter, directs the concerned official respondents 1 to 3 to consider the representation of the petitioner dated 29.08.2016 and pass appropriate orders thereon on merits and in accordance with law, within a period of two weeks from the date of receipt of a copy of this order, after affording an opportunity of hearing to the petitioner, respondents and other interested parties, if any,



With the above direction, this writ petition is disposed of. No. costs. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar

/True copy/

Sub Assistant Registrar

To:

1. The District Collector,
Dindigul District.
2. The Executive Officer,
Batlagundu Town Panchayat,
Batlagundu.
3. The Vending Committee,
O/o.Batlagundu Town Panchayat,
Batlagundu.

+1cc to Mr.R.Suriya Narayanan, Advocate, SR.69099

+1cc to Mr.R.Subramanian, Advocate, SR.69074

+1cc to M/S.Special Government Pleader, SR.69306

W.P (MD) No.19538 of 2016
31.07.2017

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KK/JC/SAR2/07.08.2017/4P-7C