

THE HONOURABLE SRI JUSTICE RAJA ELANGO

WRIT PETITION No.20264 OF 2017

ORDER:

This writ petition is filed under Article 226 of the Constitution of India seeking the following relief:-

“to issue a writ of Mandamus declaring the action of the respondent authorities in trying to remove the shops of the petitioners numbering 70 at the instance of the 4th respondent and his henchmen near the Gantiyada Junction away from the BC road leading from Gajuwaka junction as illegal, arbitrary especially Articles 14, 21 of the Constitution of India and contrary to the certificates of vendors cards issued by the Corporation itself to the petitioners and the Street Vendors Act, 2014 and the taxes that they collected from the petitioners from time to time and consequently direct the respondent authorities not to disturb the petitioners shops and destroy their livelihood.”

2. Case of the petitioner Sangham is that even though the vendors of the petitioner Sangham are possessing valid identity cards issued by the respondent Corporation to run the business in the subject land, the respondent Corporation is trying to remove the shops of the vendors of the petitioner Sangham (70 in number) at the instance of respondent No.4 and his henchmen.

3. Learned Standing Counsel appearing for the respondent Corporation submitted that if the Corporation finds that the vendors of the petitioner Sangham are encroachers, then only, the Corporation will take action in accordance with law and that the Corporation will not interfere with the subject shops without following the due process of law.

4. Considering all the facts and circumstances of the case and the grievance of the petitioner Sangham, the respondent Corporation is directed not to interfere with the subject shops of the petitioner Sangham without following the due process of law.

5. Accordingly, the Writ Petition is disposed of. There shall be no order as to costs.

6. Miscellaneous Petitions, if any, pending in this Writ Petition shall stand closed.

Date : 21.06.2017
AMD

JUSTICE RAJA ELANGO



THE HONOURABLE SRI JUSTICE RAJA ELANGO



WRIT PETITION No.20264 OF 2017

Date: 21.06.2017

AMD