

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED: 10.04.2018
CORAM
THE HONOURABLE MR.JUSTICE K. KALYANASUNDARAM
W.P.Nos.8098 and 8099 of 2018

K.Parasuraman
M.Ragunathan

... Petitioner in W.P.8098/18
... Petitioner in W.P.8099/18

vs.

1. The Commissioner,
Corporation of Chennai,
Ribbon Buildings,
Chennai 600 003.

2.The Chairperson/
Zonal Executive Engineer (Zone-5),
(The Township Vending Committee),
Corporation of Chennai,
Basin Bridge Road,
Chennai 600 021.

...Respondents
in both W.Ps.

PRAYER in W.P.8098/18:

Writ Petition filed under Article 226 of Constitution of India, to issue a Writ of Mandamus, directing the respondents herein to consider and pass orders on the petitioner's representation dated 15.03.2018 as per the provisions of the Street Vendors (Protection of Livelihood Regulation) Act, 2014 made for granting permission/Certificate of Vending and till such time not to disturb with the running of the petitioner's bunk shop near Aavin Parlour, Sydenhams Road, Chennai 600 003, wherein selling Tarpauline, Plastic Sheets and other allied items therein.

PRAYER in W.P.8099/18:

Writ Petition filed under Article 226 of Constitution of India, to issue a Writ of Mandamus, directing the respondents herein to consider and pass orders on the petitioner's representation dated 15.03.2018 as per the provisions of the Street Vendors (Protection of Livelihood Regulation) Act, 2014 made for granting permission/Certificate of Vending and till such time not to disturb with the running of the petitioner's bunk shop near Allikulam Commercial Complex, Allikulam Link Road, Chennai 600 003, wherein selling tea, coffee, cool drinks, snacks and other food items therein.

For Petitioner : Mr.R.Kamaraj
in both W.Ps.
For Respondents: Mr.T.C.Gopalakrishnan
in both W.Ps.

C O M M O N O R D E R

The prayer in these writ petitions is to issue a writ of mandamus directing the respondent to consider and pass orders on the petitioner's representations dated 15.03.2018 as per the provisions of the Street Vendors (Protection of Livelihood Regulation) Act, 2014 made for granting permission/Certificate of Vending and till such time not to disturb with the running of the petitioners' bunk shop.

2.Heard both sides.

3.Mr.R.Kamaraj, learned counsel for the petitioners submitted that these petitioners are running their bunk shops near Aavin Parlour, Sydenhams Road, Chennai and Allikulam Commercial Complex, Allikulam Link Road, Chennai respectively for the past six months and they gave their applications seeking license. Since no order was forthcoming, the present writ petitions.

4.Mr.T.C.Gopalakrishnan, learned Standing Counsel for the respondents submitted that the petitioners are not running bunk shops and they would not come under the category of street vendors and they are not entitled to get license under the provisions of the Street Vendors (Protection of Livelihood Regulation) Act, 2014.

5.However, considering the prayer sought for in these writ petitions, this Court, without going into the merits of the cases, directs the second respondent to consider and pass orders on the applications of the petitioners dated 15.03.2018, on merits and in accordance with law, after providing opportunity to all the necessary parties within a period of twelve weeks from the date of receipt of a copy of this order. With the above direction, the writ petitions are disposed of. No costs.

Sd/-
Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

vri

To

1. The Commissioner,
Corporation of Chennai,
Ribbon Buildings,
Chennai 600 003.

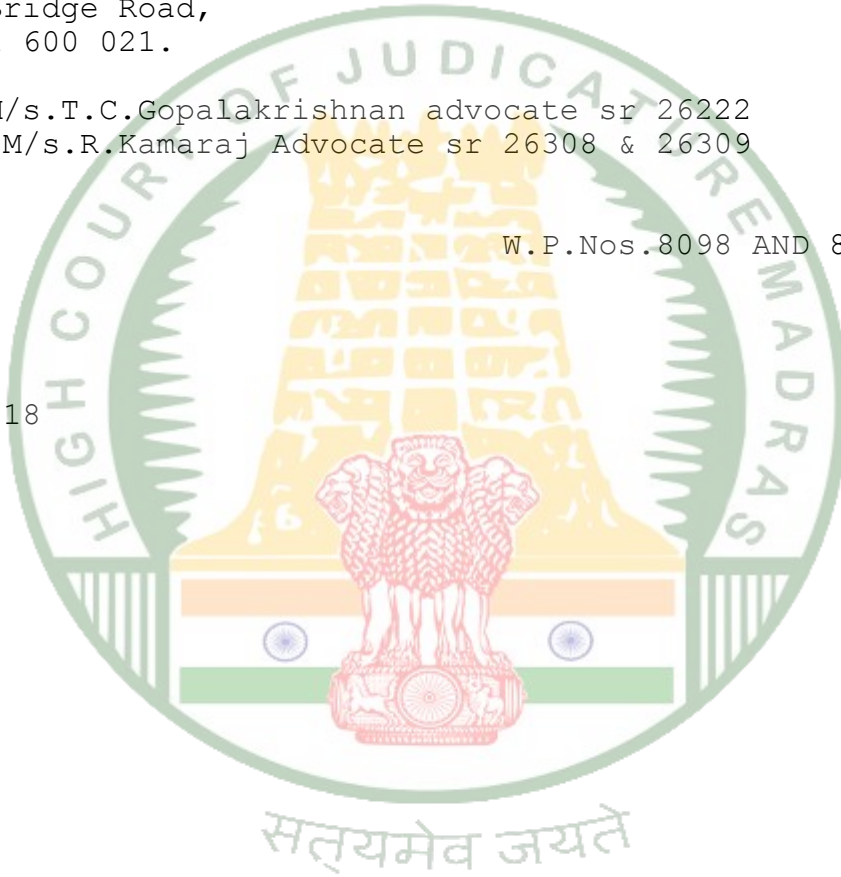
2.The Chairperson/
Zonal Executive Engineer (Zone-5),
(The Township Vending Committee),
Corporation of Chennai,
Basin Bridge Road,
Chennai 600 021.

+1 cc to M/s.T.C.Gopalakrishnan advocate sr 26222

+2 ccs to M/s.R.Kamaraj Advocate sr 26308 & 26309

W.P.Nos.8098 AND 8099 of 2018

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