

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 27.04.2018

CORAM

THE HONOURABLE MR.JUSTICE K.KALYANASUNDARAM

W.P No.10249 of 2018

A.Shankar

..Petitioner

Vs

1.The Commissioner,
Corporation of Chennai,
Rippon Building,
Chennai - 600 003.

2.The Chairperson,
Zonal Executive Engineer,
Zone No.III,
(The Town Vending Committee),
Corporation of Chennai,
Thattankulam Road, Swamy Nagar,
Madhavaram, Chennai.

.. Respondents

Prayer: The Writ Petition is filed under Article 226 of the Constitution of India, seeking issuance of Writ of Mandamus, directing the respondents to consider and pass orders on the petitioner's representation dated 12.04.2018 as per the Street Vendors (Protection of Livelihood And Regulation of Street Vending) Act, 2014 enacted for issue of Certificate of Vending and till such time not to disturb with the running of the petitioner's bunk shop situated at No.786, GNT Road, Madhavaram Highway, Nethaji Circle, Chennai - 600 110, wherein selling tea, coffee and food items by using commercial gas cylinders.

For Petitioner : Mr.R.Muralidharan

For Respondents : Mr.T.C.Gopalakrishnan
Standing counsel

O R D E R

This writ petition has been filed seeking issuance of a Writ of Mandamus, to direct the respondents to consider the petitioner's representation dated 12.04.2018, as per the Street Vendors (Protection of Livelihood And Regulation of Street Vending) Act, 2014 enacted for issue of Certificate of Vending

and till such time not to disturb with the running of the petitioner's bunk shop situated at No.786, GNT Road, Madhavaram Highway, Nethaji Circle, Chennai - 600 110.

2. Heard Mr.R.Muralidharan, learned counsel appearing for the petitioner, Mr.T.C.Gopalakrishnan, learned Standing Counsel appearing for the respondents.

3. The case of the petitioner is that he is a physically challenged person and running a bunk shop at No.786, GNT Road, Madhavaram Highway, Nethaji Circle, Chennai - 600 110, for his livelihood. The officials of the respondents are trying to interfere with the running of the petitioner's business. Hence, he gave a representation to the second respondent on 16.04.2018. Since no action was taken, the present writ petition.

4. The learned Standing Counsel appearing for the respondents submitted that the petitioner is running his business in the said place and if a fresh representation is given to the Vending Committee, the same would be considered in accordance with law.

5. In the light of the above facts and submissions, this Court, without going into the merits of the case, directs the petitioner to give fresh representation to the Vending Committee within a period of two weeks from the date of receipt of a copy of this order. On receipt of the said representation, the Vending Committee shall consider the representation of the petitioner and pass orders, on merits and in accordance with law, within a period of three months therefrom, after providing an opportunity of personal hearing to the petitioner. Till such time, the respondents shall not take any coercive action against the petitioner.

6. With the above observation and directions, the writ petition is disposed of. No costs.

Sd/-

Assistant Registrar(CCC)

//True Copy//

Sub Assistant Registrar

ms
To

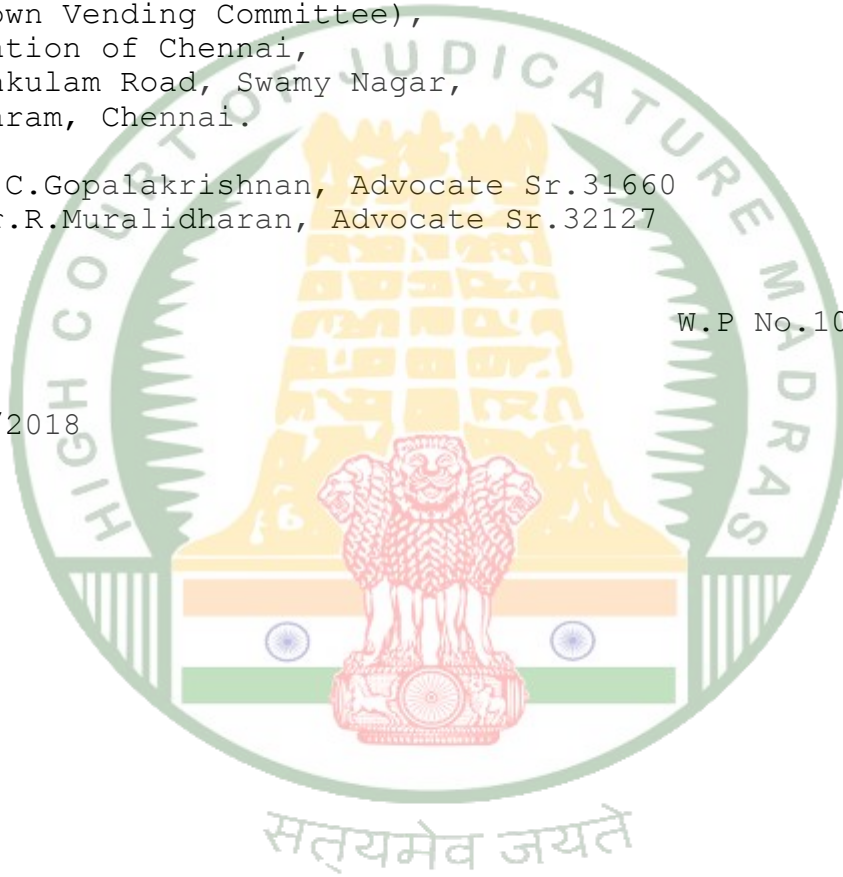
1.The Commissioner,
Corporation of Chennai,
Rippon Building,
Chennai - 600 003.

2.The Chairperson,
Zonal Executive Engineer,
Zone No.III,
(The Town Vending Committee),
Corporation of Chennai,
Thattankulam Road, Swamy Nagar,
Madhavaram, Chennai.

+lcc Mr.T.C.Gopalakrishnan, Advocate Sr.31660
+lcc to Mr.R.Muralidharan, Advocate Sr.32127

W.P No.10249 of 2018

lrs[co]
srg 24/05/2018



WEB COPY