

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 18.04.2018

CORAM

THE HONOURABLE MR.JUSTICE K.KALYANASUNDARAM

W.P.No.7294 of 2018
and W.M.P.No.9066 of 2018

S.V.Thiyagarajan

...Petitioner

Versus

- 1.The Government of Tamil Nadu,
Rep. by its Secretary Local Administration Dept.,
Secretariat, Fort St.George,
Chennai-600 009.
- 2.The Commissioner,
Corporation of Chennai,
Rippon Buildings,
Chennai-3.
- 3.The Chiarmen/Asst.Commissioner,
Town Vending Committee,
Zone-VIII, Corporation of Chennai,
Shenoy Nagar,
Chennai-600 030.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, seeking for a Writ of Mandamus, directing the 2nd respondent and his officials, servants from in any manner interfering with the running of petitioner's bunk shop at Junction of South Canal Bank Road and Second Trust Main Road by the side of compound wall of Corporation Playground Annamalaipuram, Chennai-600 028 pending consideration of petitioner representation dated 24.02.2018 by the 3rd respondent Town Vending Committee.

For Petitioner : Mr.Pushpakaran

For Respondent : Mr.V.Shanmugasundar (for R1)
Special Government Pleader
Mr.T.C.Gopalakrishnan (for RR2 & 3)
Standing Counsel

O R D E R

The petitioner has come forward with the present writ petition for issuance of Writ of Mandamus directing the second respondent and his officials concern from any manner interfering with the running of the petitioner's bunk shop based on the representation dated 24.02.2018.

2.Heard Mr.Pushpakaran, learned counsel appearing for the petitioner, Mr.V.Shanmugasundar, learned counsel appearing for the first respondent and Mr.T.C.Gopalakrishnan, learned counsel appearing for respondents 2 and 3.

3.The learned counsel appearing for the petitioner would submit that the petitioner has been running the bunk shop to meet out his livelihood. Since no prior license was issued in favour of the petitioner, he is unable to continue the business activities and hence the petitioner has given a representation dated 24.02.2018 to the 2nd and 3rd respondents for issuance of licence. Since, no order has been passed, the present petition.

4.The learned standing counsel for the respondents 2 and 3 submitted that the petitioner is not running the business as on date and his application given to the Vending Committee/3rd respondent would be considered in accordance with law.

5.In the light of the above submissions, this Court directs the 3rd respondent to consider the petitioner's representation dated 24.02.2018 and pass appropriate orders within a period of twelve weeks from the date of receipt of copy of this order after providing due opportunity to the petitioner.

6.With the above directions, this writ petition is disposed of. There shall be no order as to costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Deputy Registrar

//True Copy//

Sub Assistant Registrar

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To

1.The Government of Tamil Nadu,
Rep. by its Secretary Local Administration Dept.,
Secretariat, Fort St.George,
Chennai-600 009.

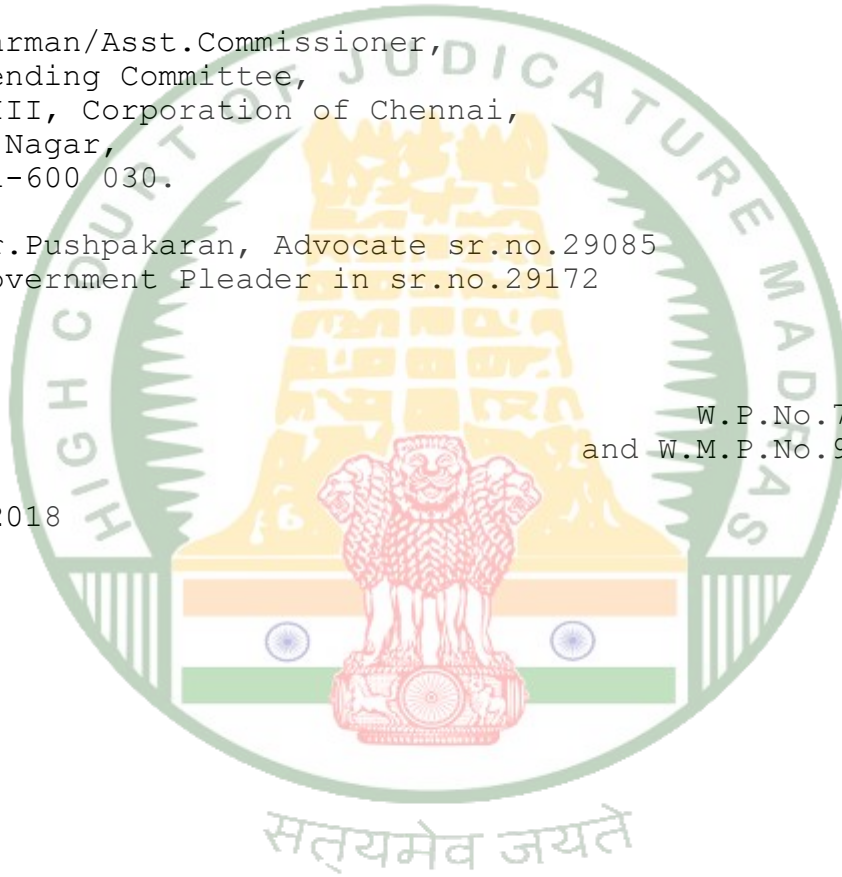
2.The Commissioner,
Corporation of Chennai,
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Chennai-3.

3.The Chiarmen/Asst.Commissioner,
Town Vending Committee,
Zone-VIII, Corporation of Chennai,
Shenoy Nagar,
Chennai-600 030.

+1cc to Mr.Pushpakaran, Advocate sr.no.29085
+1cc to Government Pleader in sr.no.29172

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and W.M.P.No.9066 of 2018

nr 23/05/2018



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