

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 26.02.2018

CORAM:

THE HONOURABLE MR. JUSTICE S. VAIDYANATHAN

W.P.No.30909 of 2017

Mukunthan

... Petitioner

vs.

1. The Commissioner,
Corporation of Chennai,
Ripon Buildings,
Chennai 600 003.
 2. The Chairperson/
Zonal Executive Engineer Zone No.10,
(The Township Vending Committee)
Corporation of Chennai,
Chennai 600 024.
 3. The State Commissioner for Differently Abled,
Chepauk,
Chennai 600 005.
- ... Respondents

Writ Petition filed under Article 226 of the Constitution of India praying for the issuance of a writ of mandamus, directing the 2nd Respondent to consider and pass orders on the Petitioner's representation dated 05.10.2017 as per the provisions of the Street Vendors (Protection of Livelihood Regulation) Act, 2014 made for granting Certificate of Vending and till such time not to disturb with the running of the Petitioner's Bunk shop at C.B.W.D. 5th Block Backside, Kamarajar Salai, Ashok Nagar, Chennai 600 083, wherein Tea, Coffee and other food items are sold by using LPG Stove.

For Petitioner : Mr.E.Naveen
for Mr.L.Chandrakumar

For Respondents 1 & 2 : Mr.T.C.Gopalakrishnan

For 3rd Respondent : Mr.S.N.Parthasarathi,
Govt. Advocate

O R D E R

The Petitioner has come up with the present Writ Petition seeking a direction to the 2nd Respondent to consider and pass orders on his representation dated 05.10.2017 as per the provisions of the Street Vendors (Protection of Livelihood Regulation) Act, 2014 made for granting Certificate of Vending and till such time not to disturb with the running of his Bunk shop at C.B.W.D. 5th Block Backside, Kamarajar Salai, Ashok Nagar, Chennai 600 083, wherein Tea, Coffee and other food items are sold by using LPG Stove.

2. This Court has already taken a view with regard to the issue in question in W.P.Nos.32355 of 2017 batch of cases, vide order dated 21.12.2017 and hence, the Petitioner herein cannot be in a better footing than the Petitioners, who are covered by the order cited supra.

3. In view of the above, this Court is of the view that if the Petitioner is found eligible and comes within the enumerated list and fulfills other norms that are prescribed by the Hawking/Vending Committee, his request may be considered by the authorities. However, this will not give any right to the Petitioner to claim the Hawking/Vending Zone or any place in the area that has been allotted to SIDCO.

This Writ Petition is disposed of with the above direction and observation. No costs.

Sd/-
Asst.Registrar (CS VIII)

/true copy/

Sub Asst. Registrar

(aeb)

To:

1. The Commissioner,
Corporation of Chennai,
Ripon Buildings,
Chennai 600 003.
2. The Chairperson/
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(The Township Vending Committee)
Corporation of Chennai,
Chennai 600 024.

3. The State Commissioner for Differently Abled,
Chepauk,
Chennai 600 005.

+ 1 cc to M/s.R.Kamaraj, Advocate, SR.15042
+ 1 cc to The Govt.Pleader, SR.15420

W.P.No.30909 of 2017

nr 11/04/2018



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