

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 26.02.2018

CORAM:

THE HONOURABLE MR. JUSTICE S. VAIDYANATHAN

W.P.No.30913 of 2017

Sagayam

... Petitioner

vs.

1. The Commissioner,
Corporation of Chennai,
Ripon Buildings,
Chennai 600 003.
 2. The Chairperson/
Zonal Executive Engineer Zone No.9,
(The Township Vending Committee),
Corporation of Chennai,
Chennai 600 034.
- ... Respondents

Writ Petition filed under Article 226 of the Constitution of India praying for the issuance of a writ of mandamus, directing the Respondents to consider and pass orders on the Petitioner's representation dated 13.11.2017 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 at School Road, Near Sunthanthirathina Park Gate, Nungambakkam, Chennai 600 034, wherein Tea, Coffee and other food items are sold by using LPG Stove.

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

For Respondents : Mr.T.C.Gopalakrishnan

ORDER

The Petitioner has come up with the present Writ Petition seeking a direction to the Respondents to consider and pass orders on his representation dated 13.11.2017 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 his Bunk shop at School Road, Near Sunthanthirathina Park Gate, Nungambakkam, Chennai 600 034, 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.

s/d-
Assistant Registrar(CS VIII)

True Copy

Sub-Assistant Registrar

(aeb)

To:

1. The Commissioner,
Corporation of Chennai,
Ripon Buildings,
Chennai 600 003.
2. The Chairperson/
Zonal Executive Engineer Zone No.9,
(The Township Vending Committee)
Corporation of Chennai,
Chennai 600 034.

+1 CC to Mr.R. Kamaraj, advocate sr 15046.

+1 CC to M/s.T.C. Gopalakrishnan, advocate sr 14619.

W.P.No.30913 of 2017

NRL(CO)
SP(11/04/2018)