

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 28.04.2018

CORAM

THE HONOURABLE Mr.JUSTICE K.KALYANASUNDARAM

W.P.No.9778 of 2018

K.Chockia

...Petitioner

Versus

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

2.The Chairperson /  
Zonal Executive Engineer Zone No.9,  
(The Township Vending Committee),  
Corporation of Chennai,  
Chennai - 600 034.

.. Respondents

Prayer: The Writ Petition is filed under Article 226 of the Constitution of India, seeking for a Writ of Mandamus, directing the respondents to consider and pass orders on the petitioner's representation dated 23.03.2018 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 at Near Syndicate Bank, Door No.16 (New No.37), Masilamani Road, Balaji Nagar, Royapettah, Chennai - 600 014, wherein selling tea, coffee and food items.

For Petitioner : Mr.L.Chandrakumar  
For Respondents : Mr.T.C.Gopalakrishnan  
Standing Counsel

O R D E R

Mr.T.C.Gopalakrishnan, learned Standing Counsel takes notice for the respondents. By consent of the learned counsel appearing for the parties, the writ petition is taken up for final hearing at the admission stage itself.

2.The petitioner has come up with the present writ petition seeking issuance of a Writ of Mandamus, to direct the respondents to consider and pass orders on his representation dated 23.03.2018, as per the provisions of the Street Vendors

(Protection of Livelihood Regulation) Act, 2014 made for granting permission or Certificate of Vending and till such time not to disturb with the running of the bunk shop at Near Syndicate Bank, Door No.16 (New No.37), Masilamani Road, Balaji Nagar, Royapettah, Chennai, by selling Tea, Coffee, Snacks and Food items.

3. The case of the petitioner is that he is a physically challenged person having disability of 60% and he is running a bunk shop at Near Syndicate Bank, Door No.16 (New No.37), Masilamani Road, Balaji Nagar, Royapettah, Chennai, 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 23.03.2018. 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.

सत्यमेव जयते

Sd/-

Assistant Registrar(CS VII)

//True Copy//

Sub Assistant Registrar

ms

To

+lcc to Mr.T.C.Gopalakrishnan, Advocate sr.no.32410  
+lcc to Mr.R.Kamaraj, Advocate sr.no.32514

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sj (co)  
nr 23/05/2018



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