

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 24.04.2018

CORAM

THE HONOURABLE Mr.JUSTICE K.KALYANASUNDARAM

W.P.No.9989 of 2018

Appaji

S/o Bakthavachalam

... Petitioner

v.

1. The Commissioner
Pallavaram Municipality,
Chrompet, Chennai-600 044

2. The Chief Engineer
State Highway Department, (Tamilnadu),
No.76, Sardar Patel Road
Guindy, Chennai-600 015

... 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 20.03.2018, as per the provisions at 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 128/5 Opposite to Solvedge, 200 ft, Pallavaram, Chennai-600 043, wherein selling tiffin and food items by using LPG gas stove.

For Petitioner : Mr.R.Gopinath

For Respondents : Mr.P.Srinivas for R1

Mr.B.Anand Govt.Advocate for R2

ORDER

Heard the learned counsel for petitioner and the learned Standing Counsel for the respondents 1 and 2.

2. Petitioner has come forward with this writ petition seeking issuance of writ of mandamus directing the respondents to consider and pass orders on the petitioner's representation dated 20.03.2018.

3. According to the petitioner, he is a physically challenged person having 80% disability. He is running a bunk shop at 128/5 Opposite to Solvadge, 200 ft, Pallavarm, Chennai-600 043, as per the provisions of Street Vendors (Protection of livelihood Regulation) Act 2014 he is entitled to get license from the respondent. Since license had not been issued, he gave a representation dated 20.0..2018, since no favourable reply was forthcoming, the present writ petition is filed.

4. Learned counsel appearing for the petitioner submitted that it would suffice, if a direction is issued to the 1st respondent to consider the representation of the petitioner.

5. Learned standing counsel for the respondents submitted that the representation of the petitioner will be considered in accordance with law by the 1st respondent.

6. In the light of the above submissions, of the learned counsels appearing for either side, this Court, without going into the merits of the case, directs the first respondent to consider the representation of the petitioner and pass appropriate orders, on merits and in accordance with law, after providing an opportunity of hearing to the necessary parties, within a period of twelve weeks from the date of receipt of a copy of this order.

7. With the above direction, the Writ Petition is disposed of. No costs.

Sd/-

Assistant Registrar(CS VI)

//True Copy//

सत्यमेव जयते
Sub Assistant Registrar

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To

1. The Commissioner
Pallavaram Municipality,
Chrompet, Chennai-600 044

2. The Chief Engineer
State Highway Department, (Tamilnadu),
No.76, Sardar Patel Road
Guindy, Chennai-600 015

+1cc to Mr.R.Gopinath, Advocate, S.R.No.31420

+1cc to Mr.P.Srinivas, Advocate, S.R.No.31394

+1cc to Mr.T.Gopalakrishnan, Advocate, S.R.No.30227

+1cc to the Government Pleader, S.R.No.30723

W.P.No.9989 of 2018

NA(CO)

RRK(04/05/2018)



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