

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 11.01.2018

CORAM

THE HONOURABLE Mr.JUSTICE K.KALYANASUNDARAM

W.P.Nos.34283 of 2017

M.R.Abdul Rahim Ashfaq

..Petitioner

Versus

1.The Commissioner,
Corporation of Chennai,
Ribbon Buildings,
Chennai 600 003.

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

.. Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus and to direct the respondents to consider and pass orders on the petitioner's representation dated 12.12.2017 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 front side of HDFC Bank, Opposite to Ganpat Hotel, No.40/88, Nungambakkam High Road, Chennai 600 034, Wherein selling tea, coffee and food items.

For Petitioner : Mr.V.Shanmugam

For Respondents : Mr.T.C.Gopalakrishnan
Standing Counsel

O R D E R

The petitioner has filed this writ petition seeking direction to the respondents to consider and pass orders on the petitioner's representation dated 12.12.2017 as per the provisions of the Street Vendors (Protection of Livelihood Regulation) Act, 2014 made for granting permission for running the bunk shop at front side of HDFC Bank, opposite to Ganpat Hotel,

2. The learned counsel for the petitioner submitted that the petitioner is a disabled person having disability of 90% and he is running a bunk shop at front side of HDFC Bank, opposite to Ganpat Hotel No.48, Nungambakkam High Road, Chennai 600 034 and he is selling tea, coffee and other food items in an hygienic manner and the respondents are disturbing the petitioner's business. It is further stated that the Central Government has enacted "The Street Vendors (Protection of Livelihood Regulation) Act, 2014" for safeguard in the Street Vendors by regulating their business. As per the provisions the petitioner gave a representation dated 12.12.2017, seeking permission, since it was not considered favourably the present writ petition has been filed.

3. Heard Mr.V.Shanmugam, learned counsel appearing for the petitioner and Mr.T.C.Gopalakrishnan, learned Standing Counsel for the respondents.

4. The learned Standing Counsel for the respondents on instructions submitted that the petitioner as on date is not running his business in that place. Except the averments stated in the affidavit the petitioner has not produced any proof in support of his contention that he has been running the business in the above mentioned place.

5. In the light of the above fact, this Court is of the considered opinion that the petitioner is not entitled for relief sought for. Accordingly, the writ petition stands dismissed. No Costs.

Sd/
Deputy Registrar

/True copy/

Sub Assistant Registrar

To

1. The Commissioner,
Corporation of Chennai,
Ribbon Buildings,
Chennai 600 003.

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

+1cc to Mr.V.Shanmugam Advocate SR.No.2759

+1cc to T.C.Gopala Krishnan Advocate SR.No.2491

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SDR 03.02.2018