

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 11.06.2018

CORAM

THE HONOURABLE Mr.JUSTICE K.KALYANASUNDARAM

W.P.No.11857 of 2018

Mary

..Petitioner

Vs

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

2. The Chairperson/Zonal Executive Engineer,
Zone -IX,
(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, to direct the respondents to consider and pass orders on Petitioner's representation dated 21.03.2018 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 bunk shop at and in front of premises No.756 L, Vasan Avenue, Near Overseas Tower and further opposite to HDFC Bank at Anna Salai, Chennai - 600 002, wherein selling tea, coffee and food items by using LPG stove.

For Petitioner : Mr.H.Adaikala Arokiaraj

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

ORDER

The prayer sought for in this writ petition is for issuance of writ of Mandamus to direct the respondents to consider and pass orders on the representation of the petitioner dated 21.03.2018.

2. The petitioner would state that she is a physically challenged person having 60% disability and she is running a bunk shop in front of premises No.756 L, Vasan Avenue, Near Overseas Tower and further opposite to HDFC Bank at Anna Salai.

3. The learned counsel for the petitioner would submit that as per Section 3 of the Street Vendors (Protection of Livelihood Regulation) Act, 2014, the Petitioner is entitled to get a licence from the Street Vending Committee, but so far the respondents have not formed the said committee to consider the application of the petitioner for issuing licence. It is further contended that in W.P.No.18677 of 2014, this Court has granted interim direction to the petitioners in that writ petition.

4. The learned Standing Counsel for the respondents submitted that as on date, the petitioner is not running her business and the representation of the petitioner would be considered by the second respondent in accordance with law.

5. In reply, the learned counsel for the petitioner submitted that due to the objections by the respondents, the petitioner has not started her business.

6. In the light of the above submissions and the prayer sought for in this writ petition, this Court, without going into the merits of the case, directs the second respondent to consider the representation of the petitioner dated 21.03.2018 and pass appropriate orders on merits and in accordance with law, after providing an opportunity of personal 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, this writ petition is disposed of. No costs.

सत्यमेव जयते Sd/-

Assistant Registrar(CS V)

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Sub Assistant Registrar

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To

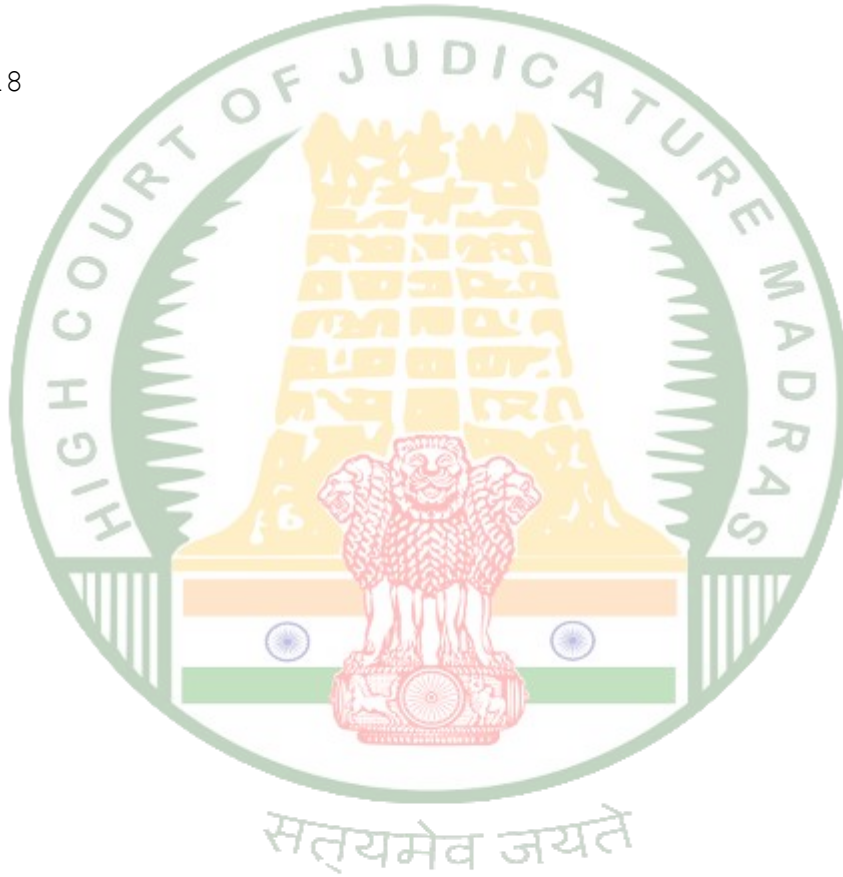
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+1cc to Mr.T.C.Gopalakrishnan, Advocate, S.R.No.36096
+1cc to Mr.H.Adaikala Arokiaraj, Advocate, S.R.No.36137

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CS/19/06/18



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