

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated: 24.01.2018

Coram

THE HONOURABLE Mr. JUSTICE M.VENUGOPAL
AND
THE HONOURABLE Mr. JUSTICE S.VAIDYANATHAN

W.P.No.26596 of 2017

D.Balaji

.. Petitioner

Vs.

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

2. The Chairperson /
Zonal Executive Engineer Zone No.7
(The Township Vending Committee)
Corporation of Chennai
Chennai - 600 053

3. The State Commissioner for Differently Abled
Chepauk,
Chennai - 600 005

..Respondents

Prayer: Writ Petition filed under Article 226 of Constitution of India for issuance of a Writ of Mandamus directing the Respondents 1 and 2 to consider and pass orders on the Petitioner's representation dated 21.09.2017 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 No.226, Tata Communication Compound, opposite to Duhar Homes and Flats, Ambattur Redhills Road, Ambattur, Chennai - 600 053, wherein selling tea, coffee and food items by using LPG stove.

For Petitioner : Mr.R.Kamaraj

For Respondents : Mr.A.Nagarajan for R1 and R2

Ms.Lalitha for R3
Government Advocate

O R D E R

[Order of the Court was made by M.VENUGOPAL, J.]

Heard both sides. By consent, the main Writ Petition itself is taken up for final disposal.

2. According to the Petitioner, he has filed the present Writ Petition praying for passing of an order by this Court in directing the Respondents 1 and 2 to consider and pass necessary orders on his representation dated 21.09.2017 as per 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 his Bunk shop at No.226, Tata Communication Compound, Opposite to Duhar Homes and Flats, Ambattur Redhills Road, Ambattur, Chennai - 600 053, wherein tea, coffee and food items by using LPG stove were sold out.

3. At this stage, the Learned Counsel for the 1st Respondent submits that the Junior Engineer, Division No.82, Greater Chennai Corporation had inspected the site on 18.12.2017 at No.226, Tata Communication Compound, Opposite to Duhar Homes and Flats, Ambattur Redhills, Ambattur, Chennai - 600 053 and found that the Petitioner is running the Bunk in State Highways Road and that the said road is not coming under jurisdiction of 1st Respondent / Corporation of Chennai.

4. Inasmuch as the Petitioner is running a bunk shop at Ambattur Red Hills Road, Ambattur, Chennai - 600 053 and the same comes within the purview and jurisdiction of Tamilnadu State Highways Department, it is appropriate for the Petitioner to approach the Tamilnadu State Highways Department seeking necessary relief. Viewed in that perspective, this Court, closes the present Writ Petition by directing the Petitioner to approach the concerned authority of the Tamilnadu State Highways Department seeking necessary relief, of course, by addressing a proper representation, within a period of one week from the date of receipt of copy of this order, if he so desires / advised. No costs.

WEB COPY

Sd/-
Assistant Registrar(CS)

//True copy//

Sub Assistant Registrar

ssd

To

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

2. The Chairperson /
Zonal Executive Engineer Zone No.7
(The Township Vending Committee)
Corporation of Chennai
Chennai - 600 053

3. The State Commissioner for Differently Abled
Chepauk,
Chennai - 600 005

+1cc to Mr.K.Kamaraj, Advocate SR.No.5623

+1cc to Mr.A.Nagarajan, Advocate SR.No.5606

+1cc to Government Pleader SR.No.5832

W.P.No.26596 of 2017

NM(CO)
GMD(10/02/2018)



WEB COPY