

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 24.10.2018

CORAM

THE HONOURABLE MR.JUSTICE K.K.SASIDHARAN
AND
THE HONOURABLE MR.JUSTICE R.SUBRAMANIAN

W.P.No.24673 of 2018

D.Padmavathi

.. Petitioner

-vs-

1. The Commissioner
Corporation of Chennai
Rippon Buildings
Chennai 600 003
2. The Chairperson/Zonal Executive Engineer
Zone No.8
(The Township Vending Committee)
Corporation of Chennai, Shenoy Nagar
Chennai 600 030

.. Respondents

Petition under Article 226 of the Constitution of India, praying for the issue of a Writ of Mandamus, directing the respondents to consider and pass orders on the petitioner's representation dated 21.08.2018 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 Chennai Corporation Community Centre, opposite to Pachayappa's College Playground, Harrington Road, Shenoy Nagar, Chennai 600 030, wherein selling tea, coffee, snacks and other food items in a hygienic manner.

For Petitioner : Ms.Jasmine Padma
for Mr.L.Chandrakumar
For Respondents : Mr.A.Nagarajan
Standing Counsel

ORDER

(Order of the Court was made by K.K.SASIDHARAN, J.)

The petitioner filed this writ petition for issuance of a

writ of mandamus directing the Corporation of Chennai to permit her to function as a street vendor by considering her representation.

2. The petitioner claimed that she has been running a tea stall opposite to Pachayappa's college ground, Harrington Road, Chennai. According to the petitioner, there was an attempt made by the Corporation to disturb her possession and the same made her to file the writ petition.

3. When this writ petition came up for hearing on an earlier occasion, the learned standing counsel appearing on behalf of Chennai Corporation disputed the claim made by the petitioner. According to the learned standing counsel, there was no such bunk shop as claimed by the petitioner opposite to Pachayappa's college. In view of the said contest, we directed the petitioner to identify her shop to the officials of the Chennai Corporation. The Corporation was directed to inspect the bunk shop and submit a report.

4. The report submitted by the Executive Engineer, Zone-8 indicates that the place was inspected in the presence of the petitioner and it was confirmed that there was no bunk as claimed by the petitioner. In view of the report submitted by the Executive Engineer after inspection in the presence of the petitioner, there is no question of issuing a mandamus directing the Corporation to recognise her as a street vendor. We are, therefore, of the view that there is absolutely no merit in the contention taken by the petitioner.

5. In the upshot, we dismiss the writ petition. No costs.

Sd/-
Assistant Registrar(CS VI)

//True Copy//

Sub Assistant Registrar

ss

To

1. The Commissioner
Corporation of Chennai
Rippon Buildings
Chennai 600 003

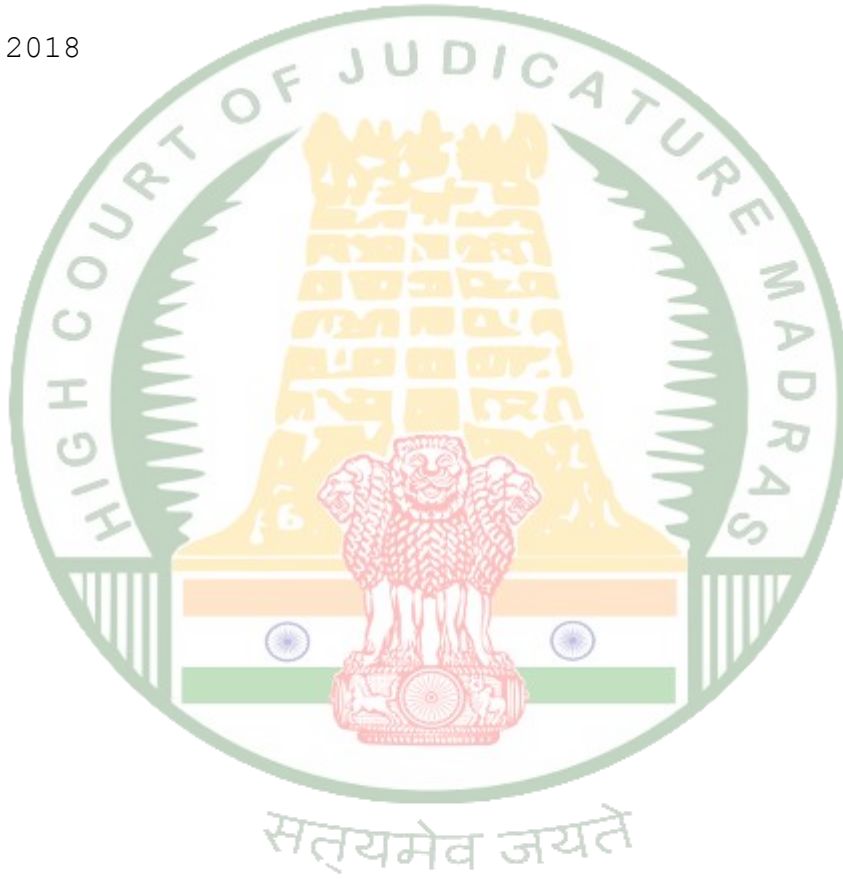
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2. The Chairperson/Zonal Executive Engineer
Zone No.8
(The Township Vending Committee)
Corporation of Chennai, Shenoy Nagar
Chennai 600 030

+1 cc to Mr.R.Kamaraj, Advocate Sr.No.73372
+1 cc to Mr.A.Nagarajan, Advocate Sr.No.73321

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KK (CO)
CSL/13.11.2018



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