

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 16.07.2018

CORAM

THE HONOURABLE MR. JUSTICE K.KALYANASUNDARAM

W.P.No.17466 of 2018
and WMP.No.20744 of 2018

S.Murugan

... Petitioner

Versus

- 1.The Government of Tamil Nadu
rep.by the Secretary Local Administration department
Secretariat, Fort St.George,
Chennai-600 009.
- 2.The Commissioner,
Corporation of Chennai,
Rippon building,
Chennai-600 003.
- 3.The Chairman / Assistant Commissioner,
Town Vending Committee,
Zone-IX, Corporation of Chennai,
Lake Area, Nungambakkam,
Chennai-600 034.

.... Respondents

PRAYER: Writ Petition filed under Article 226 of The Constitution of India praying to issue a writ or order or direction, particularly in the nature of writ of Mandamus forbearing the 2nd respondent and his officials, servants from in any manner interfering with the running of petitioner's bunk shop at Pattulos Road, near Sundaram Finance, opposite to Orient Blocksmen, Chennai-600 002, pending consideration of petitioner representation dated 09.04.2018 by the 3rd respondent Town Vending Committee.

For Petitioner : Mr.S.Pushpakaran

For Respondents : Mr.N.Inbanathan

Additional Government Pleader for R1
Mr.V.C.Selvasekaran

Standing counsel for R2 & R3

ORDER

Heard Mr.S.Pushpakaran, learned counsel for the petitioner, Mr.N.Inbanathan, learned Additional Government Pleader, who accepts notice on behalf of the 1st respondent and

Mr.V.C.Selvasekaran, learned Standing counsel, who accepts notice on behalf of the respondents 2 and 3 and perused the materials available on record.

2. This writ petition has been filed for issuance of a writ of mandamus forbearing the 2nd respondent and his officials, servants from in any manner interfering with the running of petitioner's bunk shop at Pattulos Road, near Sundaram Finance, opposite to Orient Blocksmen, Chennai-600 002, pending consideration of petitioner representation dated 09.04.2018

3. The case of the petitioner is that he is self employed and he has been running Bunk shop for his livelihood. The representation given to the respondent by the petitioner, seeking license, was not considered and on the other hand, the respondents have interfered with the business of the petitioner and hence this writ petition has been filed.

4. The learned counsel appearing for the petitioner would submit that the 3rd respondent is the appropriate authority and he may be directed to consider the application of the petitioner.

5. The learned Standing Counsel appearing for the respondents 2 and 3 on instructions would submit that the petitioner is running the business and his application seeking license would be considered by the 3rd respondent.

6. In the light of the submissions of the learned counsels on either side, this Court without going into the merits of this case, directs the 3rd respondent to consider the representation of the petitioner dated 09.04.2018 and pass appropriate orders on merits and in accordance with law within a period of four weeks from the date of receipt of a copy of this order, after providing due opportunity to the necessary parties. Till then, the respondents shall not take any coercive action against the petitioner.

7. The writ petition is disposed of, with the above observation. No costs. Consequently connected miscellaneous petition is closed.

Sd/-
Assistant Registrar(CS IX)

//True Copy//

Sub Assistant Registrar

sk

To

1.The Secretary Local Administration department
Secretariat, Fort St.George,
Chennai-600 009.

2.The Commissioner,
Corporation of Chennai,
Rippon building,
Chennai-600 003.

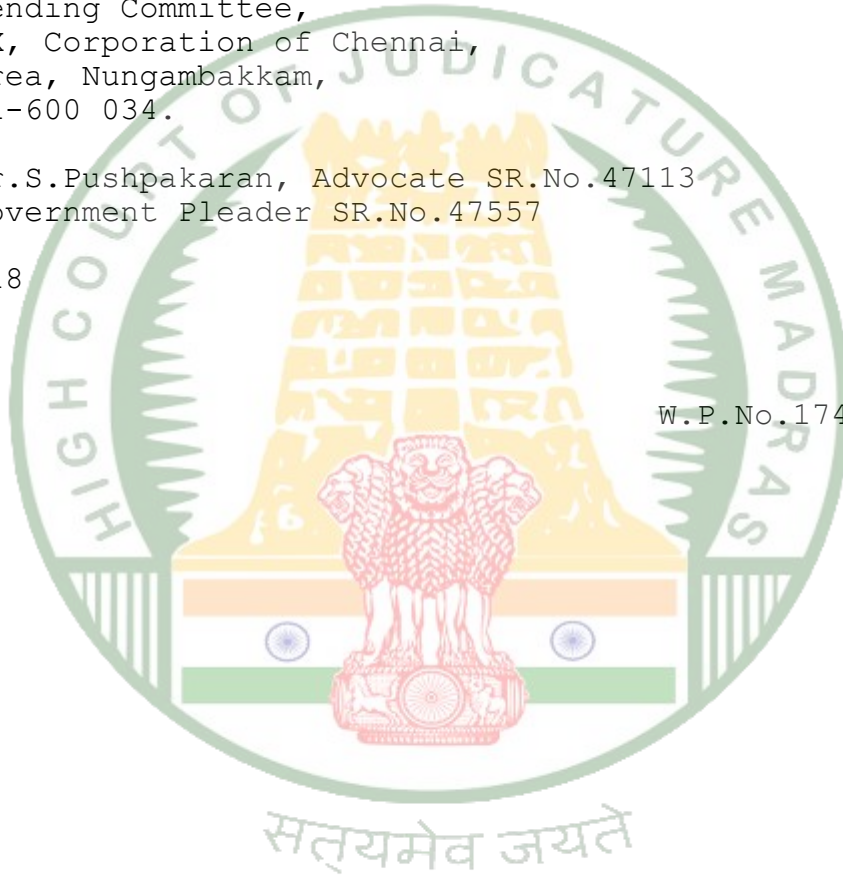
3.The Chairman / Assistant Commissioner,
Town Vending Committee,
Zone-IX, Corporation of Chennai,
Lake Area, Nungambakkam,
Chennai-600 034.

+1cc to Mr.S.Pushpakaran, Advocate SR.No.47113

+1cc to Government Pleader SR.No.47557

sm:9.8.2018

W.P.No.17466 of 2018



WEB COPY