

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 16.07.2018

CORAM

THE HONOURABLE MR. JUSTICE K.KALYANASUNDARAM

W.P.No.17480 of 2018
and WMP.No.20755 of 2018

S.Priya

... 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 No.1, Peters Road, near Prasath Chamber, opposite to Hotel Shree Krishna Lodge, Gopalapuram, Chennai-600 086, pending consideration of petitioner representation dated 09.04.2018 by the 3rd respondent Town Vending Committee.

For Petitioner : Mr.S.Pushpakaran

For Respondents: Mr.B.Anand, Government Advocate for R1
Mr.V.C.Selvasekaran
Standing counsel for R2 & R3

ORDER

Heard Mr.S.Pushpakaran, learned counsel for the petitioner,

Mr.B.Anand, learned Government Advocate, 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 No.1, Peters Road, near Prasath Chamber, opposite to Hotel Shree Krishna Lodge, Gopalapuram, Chennai-600 086, pending consideration of petitioner representation dated 09.04.2018 by the 3rd respondent Town Vending Committee.

3. The case of the petitioner is that she is self employed and she has been running Bunk shop at Peters Road. The representation given to the respondent, 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. 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.

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

Sd/-

Assistant Registrar(CS IX)

//True Copy//

Sub Assistant Registrar

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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 Government Pleader SR.No.47558

+1cc to Mr.S.Pushpakaran, Advocate SR.NO..NO.47114 dt.16.8.2018

sm:9.8.2018

W.P.No.17480 of 2018



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