

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 20.07.2018

CORAM

THE HONOURABLE Mr.JUSTICE K.KALYANASUNDARAM

W.P.No.18250 of 2018

S.Prabhu

..Petitioner

Vs

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

2.The Chairperson /
Zonal Executive Engineer Zone,
Zone No.8,
(The Town Vending Committee),
Corporation of Chennai,
Chennai - 600 034.

..Respondents

Prayer:- Writ Petition is filed under Article 226 of the Constitution of India, seeking for a Writ of Mandamus, directing the respondents to consider and pass orders on the petitioner's representation on 20.04.2018, 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 Aynavaram Salai, Medavakkam Tank Road Junction (Road Right Side) Opp.Amma Unavagam, Aynavaram, Chennai, wherein selling Tiffin and food items by using LPG Gas Stove.

For Petitioner

: Mr.K.Prabhakaran

For Respondents

: Mr.V.C.Selvasekaran

Standing counsel

ORDER

Heard Mr.K.Prabhakaran, learned counsel for the petitioner and Mr.V.C.Selvasekaran, learned Standing counsel for the respondents and perused the materials available on record.

2. The petitioner has come forward with this writ petition for issuance of a writ of mandamus, to direct the respondents to consider and pass orders on his representation dated 20.04.2018, as per the provisions of the Street Vendors

(Protection of Livelihood Regulation) Act 2014, for granting permission / licence to run a bunk shop.

3. The case of the petitioner is that he is a physically challenged person having disability of 60%. He has been running a bunk shop at Aynavaram Salai, Medavakkam Tank Road Junction, Chennai, by selling tea, coffee and other food items.

4. The learned counsel for the petitioner submitted that as per the provisions of the Street Vendors (Protection of Livelihood Regulation) Act, 2014, the petitioner is entitled to get a licence to run a bunk shop. However, the representation of the petitioner dated 20.4.2018 was not considered. He would further submit that it would suffice, if a direction is given to the second respondent to consider the representation of the petitioner.

5. The learned Standing counsel for the respondents submitted that on 28.2.2018, all the shops put up on Aynavaram Salai, Medavakkam Tank Road Junction, Chennai, have been removed and the representation of the petitioner would be considered by the second respondent in accordance with law.

6. In the light of the above facts and the submissions made by the learned counsel for either side and also considering the nature of 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 20.04.2018 and pass orders on merits and in accordance with law, after affording an opportunity to all necessary parties, within a period of eight weeks, from the date of receipt of a copy of this order.

7. With the above direction this writ petition is disposed of. However, there shall be no order as to costs.

सत्यमेव जयते
Sd/-

Assistant Registrar (CS-V)

//True Copy//

WEB COPY

Sub Assistant Registrar

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To

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

2.The Chairperson /
Zonal Executive Engineer Zone,
Zone No.8,
(The Town Vending Committee),
Corporation of Chennai,
Chennai - 600 034.

+1cc to Mr.K.PRABHAHARAN, Advocate, S.R.No. 48403

W.P.No.18250 of 2018

TR(25/07/2018)



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