

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 27.07.2018

CORAM

THE HONOURABLE Mr.JUSTICE K.KALYANASUNDARAM

W.P.No.19025 of 2018

P.Manoharan

...Petitioner

Versus

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

2. The Chairperson /
Zonal Executive Engineer Zone,
Zone No.9,
(The Town Vending Committee)
Corporation of Chennai,
Chennai.

... Respondents

Prayer:

The 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 dated 24.1.2018, 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 Mahendra Consulting Engineers Ltd., Mahendira Towers, No.17/18, Pattulabs Road, (Opp EA), Chennai, wherein selling tea, coffee and food items by using LPG Gas Stove.

For Petitioner : Mr.K.Prabhakaran

For Respondents : Mr.V.C.Selvasekaran
Standing Counsel

O R D E R

The prayer sought for in this writ petition is for issuance of a writ of mandamus, directing the respondents to consider and pass orders on the representation of the petitioner dated 24.1.2018.

2. Heard the learned counsel for the petitioner and the learned Standing Counsel for the respondents and perused the materials available on record.

3. The case of the petitioner is that he is a physically challenged person having disability of 85%. He has been running a bunk shop at Mahendra Consulting Engineers Limited, Mahendra Towers, No.17/18, Pattulahs Road, (Opp EA), 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 24.1.2018 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 the petitioner is not running a bunk shop at Pattulahs Road, Opposite to E.A., Chennai and the application 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 24.1.2018 and pass orders on merits and in accordance with law, after affording an opportunity to all necessary parties, within a period of four 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.

Sd/-

Assistant Registrar(CS IV)

//True Copy//

Sub Assistant Registrar

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To

1. The Commissioner of Police,
Corporation of Chennai,
Rippon Buildings,
Chennai - 600 003.
2. The Chairperson /
Zonal Executive Engineer Zone,
Zone No.9,
(The Town Vending Committee)
Corporation of Chennai,
Chennai.

+1cc to Mr.K.Prabhakaran, Advocate, S.R.No.51534

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CS/01/08/18



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