

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 01.08.2018

CORAM

THE HONOURABLE MR. JUSTICE K.KALYANASUNDARAM

WP.No.19593 of 2018

B.Appaji

...Petitioner

Vs.

1. The Commissioner,
Corporation of Chennai,
Ribbon Buildings,
Chennai 600 003.

2. The Chairperson/
Zonal Executive Engineer Zone No.10,
(The Township Vending Committee),
Corporation of Chennai,
Chennai 600 024.

...Respondents

PRAYER: Writ petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus to direct the respondents to consider the petitioner's representation dated 26.07.2018 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 No.12/13, Srinivasa Salai, near Kusala Flats, opposite to Chennai Corporation, opposite to Thiagarajan Kalaiyarangam, Pondy Bazaar, T.Nagar, Chennai 600 017, wherein selling tea, coffee, snacks, and food items therein.

For Petitioner : Mr.R.Kamaraj
For Respondents : Mr.V.C.Selvasekaran

ORDER

Mr.V.C.Selvasekaran, learned Standing Counsel takes notice on behalf of the respondents. By consent of the learned counsel appearing for the parties, the writ petition is taken up for final hearing.

2. The prayer in the writ petition is for issuance of a writ of mandamus to direct the respondents to consider the representation of the petitioner dated 26.07.2018, as per the provisions of the Street Vendors (Protection of Livelihood Regulation) Act, 2014.

3. According to the petitioner, he is a differently abled person and running a bunk shop at No.12/13, Srinivasa Salai, near Kusala Flats, opposite to Thiagarajan Kalaiyarangam, Pondy Bazaar, T.Nagar, Chennai, for the past one year and there is no disturbance to the general public for the free flow of traffic. The petitioner would further state that he applied for licence by submitting a representation on 26.07.2018, but so far, no order has been passed.

4. The learned counsel for the petitioner submitted that it would suffice, if a direction is issued to the respondents to consider the representation of the petitioner.

5. The learned Standing Counsel submitted that the petitioner is not running a bunk shop in that place, however, the second respondent is ready to consider the representation of the petitioner in accordance with law.

6. In the light of the above submissions and also considering the nature of prayer sought for in the writ petition, this Court, without going into the merits of the case, directs the second respondent to consider the representation of the petitioner and pass appropriate orders, within a period of four weeks from the date of receipt of a copy of this order, after providing an opportunity of hearing to the necessary parties.

7. With the above direction, the writ petition is disposed of. No costs.

सत्यमेव जयते Sd/-

Assistant Registrar (CS-IX)

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Sub Assistant Registrar

pvs

To

1. The Commissioner,
Corporation of Chennai,
Ribbon Buildings,
Chennai 600 003.

2. The Chairperson/
Zonal Executive Engineer Zone No.10,
(The Township Vending Committee),
Corporation of Chennai,
Chennai 600 024.

+1cc to Mr.R.KAMARAJ, Advocate, S.R.No. 52631

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SS (CO)
TR(24/08/2018)



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