

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED: 30.01.2018
CORAM
THE HONOURABLE Mr.JUSTICE K.KALYANASUNDARAM

W.P.No.28565 of 2013
and
M.P.No.1 of 2013

J.Sridharan

...Petitioner

Versus

1.The Commissioner,
Chennai Corporation,
Ribbon Building,
Chennai - 600 001.

2.The Junior Engineer,
IX Zone, Chennai Corporation,
Chennai. ... Respondents

Prayer: The Writ Petition is filed under Article 226 of the Constitution of India, seeking for a Writ of Mandamus, forbearing the respondents or his subordinates from interfering with the petitioner's bunk shop situated in Rathna Nagar, Near Appollo Hospital, Teynampet, Chennai - 600 018.

For Petitioner : Mr.K.Sasindran

For Respondents : Mrs.Karthikaa Ashok

O R D E R

This writ petition has been filed seeking for issuance of writ of mandamus, forbearing the respondents or their subordinates from interfering with the petitioner's bunk shop situated in Rathna Nagar, Near Appollo Hospital, Teynampet, Chennai - 600 018.

2. Heard Mr.K.Sasindran, learned counsel appearing for the petitioner and Mrs.Karthikaa Ashok, learned Standing counsel appearing for the respondents and perused the material documents available on record.

3. The learned counsel appearing for the petitioner submitted that the petitioner's neighbouring shop owner Mrs.Marimuthu, filed W.P.No.26333 of 2017 and this Court by an order dated 12.10.2017, directed the petitioner therein to approach the Vending Committee for issuance of licence. Hence, he has requested to pass similar order in this writ petition.

4. Per contra, it is submitted that without submitting any representation to the respondents, the present writ petition has been filed and in the event of submission of representation, it will be considered in accordance with law.

5. In the light of the above facts, this Court directs the petitioner to submit a representation to the Vending Committee. On such compliance, the application shall be considered on merits and in accordance with law.

6. It is needless to state that the respondent shall follow the guidelines formulated in the order dated 18.09.2017 passed by the Hon'ble Apex Court in W.P.No.1141 of 1987 together with the order dated 12.10.2017 passed by this Court in W.P.No.26134 of 2017 for grant of Vending Committee to the petitioner. The petitioner, while approaching the Vending/Hawking Committee, must produce a copy of their Aadhar Card, failing which, no indulgence need be shown to them. This will prevent duplication of shops in the name of the same person.

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

Sd/-
Assistant Registrar(CS IX)

//True Copy//

Sub Assistant Registrar

ms

To

1.The Commissioner,
Chennai Corporation,
Ribbon Building,
Chennai - 600 001.

2.The Junior Engineer,
IX Zone, Chennai Corporation,
Chennai.

+1cc to M/s.Karthikaa Ashok, Advocate Sr.No.6664
+1cc to Mr.K.Sasindran, Advocate SR.No.7217

SV(CO)

sm:20.2.2018

W.P.No.28565 of 2013
and
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