

THE HON'BLE SRI JUSTICE M.SEETHARAMA MURTI

WRIT PETITION No.11407 of 2018

ORDER:

This writ petition, under Article 226 of the Constitution of India, is filed questioning the action of respondent Nos.1 to 8 in not implementing the orders passed by the 10th respondent vide letter No.24/UCD/L.B.N/2018, dated 15.02.2018, and consequently to direct the said respondents to implement the said orders relating to conduct of business by the vegetable vendors i.e., on one day by local vendors and on the next day by the non-local vegetable vendors/vendors coming from outside the city, to avoid any disputes among the two groups of vegetable vendors.

I have heard the submissions of Sri B.Shesu Kumar, learned counsel for the petitioner, and of the learned Government Pleader for Home (T.G). Perused the material record.

Learned counsel for the petitioner, while reiterating the submissions in the writ petition and while inviting the attention of this Court to the contents of the aforesaid letter, would submit that, in a meeting conducted, the Commissioner resolved all the issues; that it was decided to conduct the weekly markets two times in a week i.e., on one day by local vegetable vendors and on the next day by non-local vegetable vendors coming from outside the city; that, after such resolution, the 10th respondent – Deputy Commissioner, Greater Hyderabad Municipal Corporation, L.B. Nagar, Circle No.4,

addressed the afore-stated letter to the Assistant Commissioner of Police, Traffic Department, L.B. Nagar, and the Assistant Commissioner of Police, Law & Order Department, L.B. Nagar, requesting to extend co-operation to the Town Vending Committee in the above regard and create a peaceful atmosphere for the vendors to sell the vegetables on the respective days in a week, after verifying their ID cards or other ID proofs by identifying their areas; and, that despite such letter addressed by the 10th respondent to the police officers, no action has been taken; and, therefore, the present writ petition is filed.

Learned Government Pleader for Home, on written instructions, dated 06.04.2018, a copy of which is placed on record, would submit as follows:

‘A letter addressed was by the 10th respondent to the police officers is true. The main reason for the dispute is that the vendors are more in number and the place of vending is an insufficient place and there is no other vacant place for accommodating more vendors. Weekly markets are being conducted on the road margins. Farmers are coming from various rural areas to sell vegetables in the city localities. The requisition of the Commissioner itself shows the above facts. The same is pending consideration before the police officers concerned. Action would be taken in consultation with superior officers. This issue is a sensitive issue. Therefore, consultation with the superiors is necessary. Police protection cannot be given to local

vendors or non-local vendors, whose identities are not known. Police protection can be given, as and when necessary, to prevent law & order problems, if arise.'

In reply, the learned counsel for the petitioner would submit that all the vegetable vendors (local and non-local) are having ID cards.

Having regard to the submissions, the writ petition is disposed of directing the police officers concerned to implement the request in the afore-stated letter of the 10th respondent and regulate peaceful vending of vegetables in the subject areas by the local vegetable vendors on one day of the week and by the non-local vegetable vendors on the other day of the week, as resolved and settled, however, insofar as the vegetable vendors having identity cards, apart from giving police protection to prevent law & order problems, as and when arise.

Miscellaneous petitions pending, if any, in this Writ Petition shall stand closed.

M.SEETHARAMA MURTI, J

25.04.2018

Note: Issue CC in two days

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