

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 18.12.2019

CORAM:

THE HONOURABLE DR.JUSTICE VINEET KOTHARI
AND

THE HONOURABLE MR.JUSTICE R.SURESH KUMAR

W.P. No.201 of 2018

CHENNAI MAANAKAR SIRU VYABARIGAL
SANGANGALIN KOOTAMAIPPU

(REG NO.245/ 1998)

REP BY ITS GENERAL SECRETARY
NO.88 PERAMBUR BARRACKS ROAD
CHENNAI-07

Petitioner

...

Vs

1 THE CORPORATION OF CHENNAI
REP BY ITS COMMISSIONER RIPPON BUILDING
CHENNAI-03

2 THE ASSISTANT COMMISSIONER
ZONE NO.13 CORPORATION OF CHENNAI ADYAR
CHENNAI-20

3 THE TOWN VENDING COMMITTEE
(TVC) REP BY ITS CHAIRPERSON OFFICE OF
ZONAL EXECUTIVE ENGINEER CORPORATION OF
CHENNAI-03

4 DEPUTY COMMISSIONER OF POLICE
ADAYAR CHENNAI-20

5 INSPECTOR OF POLICE
THARAMANI POLICE STATION
CHENNAI-600 113

... Respondents

Writ Petition filed under Art.226 of the Constitution of India praying for a Writ of Mandamus directing the 1st Respondent to issue certificate of vending to the street vendors of CSIT Road, opposite to Ascendas IT Park, Taramani, Chennai, within a stipulated time and further direct the Respondents 1 to 5 not to disturb in any manner the vending of the said street vendors at CSIT Road, opposite to Ascendas IT Park, Taramani, Chennai.

For petitioner : Mr.A.Mohamed Ismail

For Respondents: Mr.K.Soundarajan,
Standing counsel for Respondents 1 to 3

Ms.A.Srijeyanthi, Spl.G.P.
For Respondents 4 and 5

O R D E R

(made by R.SURESH KUMAR, J.)

Heard Mr.A.Mohamed Ismail, learned counsel for the Petitioner and Mr.K.Soundararajan, learned Standing Counsel for the first Respondent/ Chennai Corporation and Ms.Srijeyanthi, learned Special Government Pleader for the Respondents 4 and 5.

2. The learned Standing Counsel for the first Respondent Corporation has brought to the notice of this court that by the decision of the Town Vending Committee of the Chennai Corporation dated 19 July 2019, streets/areas in Chennai City have been identified and earmarked as vending and non vending areas. About 136 areas have been declared as vending areas. As regards, Taramani, the following two places have been identified by the Chennai Corporation as vending areas.

Sl.No.	Ward	Street
1.	180	Taramani Bus Stand Road
2.	180	Taramani 4 th Cross Street

3. Therefore, by virtue of the said decision taken by the first Respondent, other areas including the areas for which now prayer is sought for by the writ Petitioner have been declared to be non vending areas. Therefore, the question of considering the prayer for grant of permission or license or identity card to the members of the Petitioner Association or any other public, for doing street vending business does not arise in the present circumstances. At the same time, since they are poor street vendors, it is open to them to make necessary application to the first Respondent Corporation for grant of such permission in the vending areas already declared by the first Respondent Corporation, vide Town Vending Committee's decision dated 19.07.2019.

4. If any such application is made, the same shall be decided by the first Respondent on merits and in accordance with law. Accordingly, the Writ Petition is disposed of. No costs. Consequently, WMP No.279 of 2018 is also closed.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

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To

- 1 THE COMMISSIONER,
CORPORATION OF CHENNAI
COMMISSIONER RIPPON BUILDING
CHENNAI-03
- 2 THE ASSISTANT COMMISSIONER
ZONE NO.13 CORPORATION OF CHENNAI ADYAR
CHENNAI-20
- 3 THE TOWN VENDING COMMITTEE
(TVC) REP BY ITS CHAIRPERSON OFFICE OF
ZONAL EXECUTIVE ENGINEER CORPORATION OF
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- 4 THE DEPUTY COMMISSIONER OF POLICE
ADAYAR CHENNAI-20
- 5 THE INSPECTOR OF POLICE
THARAMANI POLICE STATION
CHENNAI-600 113

+lcc to Mr.K.Soundarajan, Advocate sr.105723

+lcc to Special Government Pleader sr.106212

W.P. No.201 of 2018

rp(co)
nr 17/02/2020