

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 04.03.2019

CORAM:

THE HONOURABLE MR.JUSTICE D.KRISHNAKUMAR

W.P.No.6048/2019

Ramu

..Petitioner

Vs

1.The Commissioner
Corporation of Chennai
Ripon Buildings
Chennai 600 003.

2.The Chairperson/Zonal
Executive Engineer Zone
Zone No.15, [The Town Vending Committee]
Corporation of Chennai
Chennai 600 119.

..Respondents

Prayer:- This Writ Petition is filed, under the Article 226 of Constitution of India, to issue a writ of Mandamus, directing the respondents to consider and pass order on the petitioner's representation dated 19.03.2018 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 near Sandhya Hotel, Compound Wall near, Navallur, Chennai 603103, wherein selling tea, coffee and food items by using LPG Gas stove.

For Petitioner : Mr.R.Gopinath

For Respondents : Mrs.Karthika Ashok, for RR1&2

ORDER

By consent of both sides, this Writ Petition is taken up for final disposal.

2 Writ Petition is filed praying to issue a writ of Mandamus directing respondents to consider and pass order on the petitioner's representation dated 19.03.2018 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 near Sandhya Hotel, Compound Wall near, Navallur, Chennai 603103, wherein selling tea, coffee and food items by using LPG Gas stove.

3 The petitioner claims that he is a differently abled person having 60% disability and he is running a Bunk Shop by selling tea, coffee and food items, near Sandhya Hotel, Compound Wall near, Navallur, Chennai 603103,. It is further averred that out of the meager income earned, he is eking out his livelihood and is also running his family. The petitioner would state that he is also entitled to the benevolent provisions of the Tamil Nadu Street Vendors [Protection of Livelihood and Regulation of Street Vending] Act, 2014 and the Rules and Regulations framed thereunder and in this regard, he has also submitted representation dated 19.03.2018 to the respondents and despite that, he is having a genuine apprehension that his Bunk Shop is likely to be removed and hence, came forward to file the present writ petition.

4 The learned Standing Counsel appearing for the respondents/Corporation submits that the 2nd respondent may be directed to consider and dispose of the said representation within a time frame as fixed by this court.

5 Without expressing any opinion on the merits of the case, the 2nd respondent is directed to consider the representation of the petitioner dated 19.03.2018 on merits and in accordance with law, within a period of eight weeks from the date of receipt of a copy of this order, after affording opportunity of hearing to the Petitioner.

6 The Writ Petition is disposed of with the above direction. No costs.

Sd/-
Assistant Registrar(CS VI)

//True Copy//

सत्यमेव जयते
Sub Assistant Registrar

nvsri

To

1.The Commissioner
Corporation of Chennai
Ripon Buildings
Chennai 600 003.

WEB COPY

2.The Chairperson/Zonal
Executive Engineer Zone
Zone No.15, [The Town Vending Committee]
Corporation of Chennai
Chennai 600 119.

+1cc to Mrs.Karthika Ashok, Advocate sr.19750

+1cc to Mr.R.Gopinath, Advocate sr.no.19908

WP.6048/2019

nr 12/04/2019



WEB COPY