

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 26.07.2019

CORAM :

The Hon'ble Mrs.VIJAYA K.TAHILRAMANI, CHIEF JUSTICE

AND

The Hon'ble Mr.JUSTICE M.DURAI SWAMY

W.P. Nos.7184, 7188, 7192, 7196, 7198, 7203, 7208, 7216, 7222, 7226, 8632, 8640, 8647, 8652, 8656, 8686, 8695, 8699, 8702, 8704, 8728, 8738, 8741, 8742, 8745, 8750, 8770, 8771, 8778, 8779, 8780, 8784, 8785, 8786, 8789, 8796, 8986, 9142 and 9149 of 2019

and W.M.P.Nos.7904, 7906, 7910, 7912, 7919, 7920, 7923, 7925, 7927, 7928, 7930, 7932, 7937, 7938, 7941, 7942, 7946, 7947, 7949, 7950, 9153, 9158, 9160, 9168, 9169, 9176, 9179, 9184, 9187, 9230, 9233, 9242, 9243, 9246, 9248, 9253, 9255, 9258, 9260, 9292, 9294, 9300, 9301, 9303, 9304, 9306, 9308, 9310, 9312, 9316, 9317, 9330-9339, 9342, 9344, 9346, 9347, 9348, 9349, 9352, 9353, 9359, 9361, 9655, 9656, 9662, 9666, 9673 and 9674 of 2019

A.Dhanakkotti	...Petitioner in WP.No.7184/2019
A.Michael	...Petitioner in WP.No.7188/2019
A.Rajan	...Petitioner in WP.No.7192/2019
C.Murugesan	...Petitioner in WP.No.7196/2019
J.S.Sudhakar	...Petitioner in WP.No.7198/2019
V.Nagarathinam @ Ayyappan	...Petitioner in WP.No.7203/2019
V.R.Sundaramoorthi	...Petitioner in WP.No.7208/2019
S.Karnan	...Petitioner in WP.No.7216/2019
S.Kosalai Raman	...Petitioner in WP.No.7222/2019
V.R.Varadharajan	...Petitioner in WP.No.7226/2019
N.Sriramulu	...Petitioner in WP.No.8632/2019
A.Velanganni	...Petitioner in WP.No.8640/2019
P.Sankar	...Petitioner in WP.No.8647/2019
G.V.Vengadeswaralu	...Petitioner in WP.No.8652/2019
J.Peter @ Francis Xavier	...Petitioner in WP.No.8656/2019
A.Robert @ Robert Kamady	...Petitioner in WP.No.8686/2019
S.Palsamy	...Petitioner in WP.No.8695/2019
S.Maharajan	...Petitioner in WP.No.8999/2019
K.Manikandan	...Petitioner in WP.No.8702/2019
A.Sivabalan	...Petitioner in WP.No.8704/2019
T.Kamaraj	...Petitioner in WP.No.8728/2019
K.V.Mandiramurthy	...Petitioner in WP.No.8738/2019
V.G.Bose	...Petitioner in WP.No.8741/2019

D.Noval ...Petitioner in WP.No.8742/2019
D.Ilangovan @ Ilangudi ...Petitioner in WP.No.8745/2019
B.Bagavathiraj ...Petitioner in WP.No.8750/2019
R.Ramesh Babu ...Petitioner in WP.No.8770/2019
R.Narayanan ...Petitioner in WP.No.8771/2019
B.Balamurugan ...Petitioner in WP.No.8778/2019
K.Anthoniammal ...petitioner in WP.No.8779/2019
D.Thangavel ...Petitioner in WP.No.8780/2019
G.Madankumar ...Petitioner in WP.No.8784/2019
D.Jute Arokiadas ...Petitioner in WP.No.8785/2019
P.Kannan ...Petitioner in WP.No.8786/2019
Thommai Arokiam ...Petitioner in WP.No.8789/2019
N.S.Gurubaran ...Petitioner in WP.No.8796/2019
S.Balakrishnan @ Edward Raja ...Petitioner in WP.No.8986/2019
S.Muthu Krishnan ...Petitioner in WP.No.9142/2019
D.Christi ...Petitioner in WP.No.9149/2019

-vs-

- 1.The Commissioner,
Greater Chennai Corporation,
Park Town, Chennai 600 003.
- 2.Zonal Officer,
Zone-V, Greater Chennai Corporation,
61, Basin Bridge Road, Chennai 600 021.
- 3.Town Vending Committee,
rep. By its Chairman,
Zone-V, Greater Chennai Corporation,
61, Basin Bridge Road,
Chennai 600 021. ...Respondents in all Writ Petitions

Common prayer in all Writ Petitions:

These Writ Petitions filed under Article 226 of the Constitution of India praying for issue of Writ of Certiorarified Mandamus to call for the records relating to the Notice Ma.A.5.Na.Ka.No./Special/2019 dt.01.02.2019 issued by the 2nd respondent and quash the same and for a consequential direction to the respondents to regularize the temporary structures put up by the petitioner in the pantheon road 1st Lane.

For Petitioners in
all WPs. : Mr.N.G.R.Prasad
for M/s.Row and Reddy

For Respondents
in all WPs. : Mrs.Karthika Ashok
for RR 1 to 3

* * * * *

COMMON ORDER

(Order of the Court was made by The Hon'ble Chief Justice)

Heard the learned counsel for the petitioner and Mrs.Karthika Ashok, learned counsel, appearing for the respondents Corporation of Corporation.

2.The petitioners are seeking directions to the respondents to regularise the temporary structures put up by them in Pantheon Road, 1st Lane, Egmore, Chennai 600 008. It is an admitted fact that respondent no.3, Town Vending Committee, is the competent authority to regularise the structures.

3.Admittedly, the petitioners have preferred a representation to respondent no.3, Town Vending Committee, to regularise the structures put up by them. However, the said representation has been rejected by order dated 18.07.2019. In relation to the rejection of the representation, the petitioners have efficacious alternate remedy of preferring an appeal under Section 11 of the Street Vendors (Protection of Livelihood and Regulation of Street Vending) Act, 2014.

4.The learned counsel for the petitioners states that they will prefer appeal to the competent authority in relation to the order dated 18.07.2019.

Thus, as far as these writ petitions are concerned, no further orders are necessary at this stage. The writ petitions are, accordingly, disposed of. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-

Asst.Registrar (CS III)

/true copy/

Sub Asst. Registrar

WEB COPY

sra
To

1.The Commissioner,
Greater Chennai Corporation,
Park Town, Chennai 600 003.

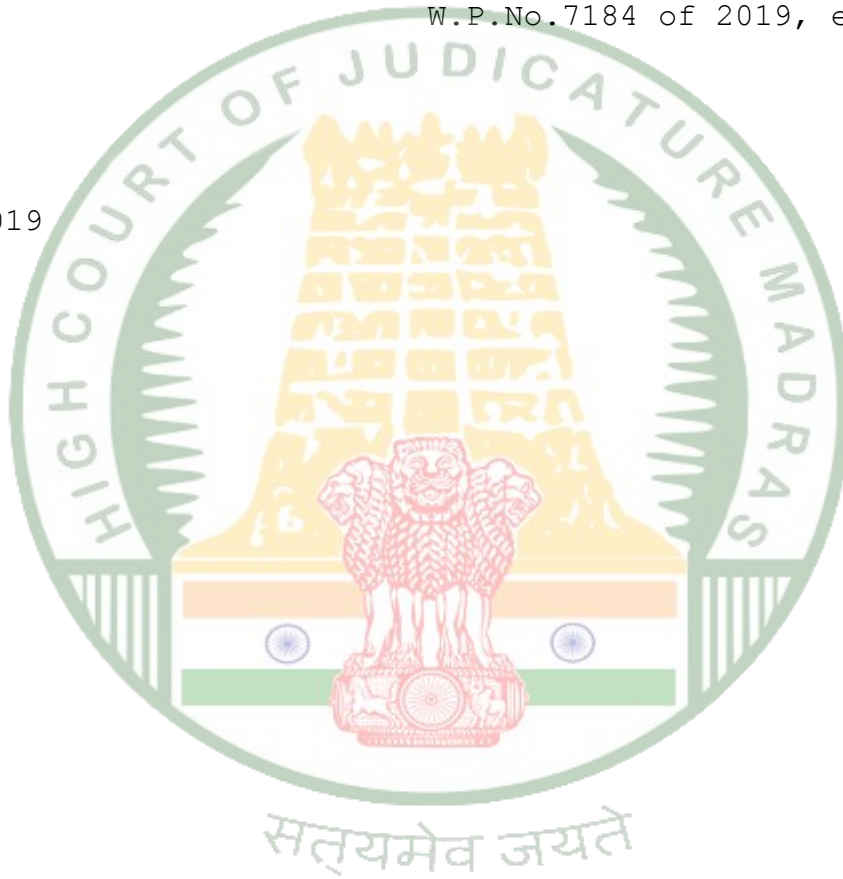
2.Zonal Officer,
Zone-V, Greater Chennai Corporation,
61, Basin Bridge Road, Chennai 600 021.

3.Town Vending Committee,
rep. By its Chairman,
Zone-V, Greater Chennai Corporation,
61, Basin Bridge Road, Chennai 600 021.

+39 ccs to M/s.Row & Reddy Advocate sr64450
+1 cc to M/s.Karthika Ashok Advocate sr64277

W.P.No.7184 of 2019, etc. (batch)

gjII(co)
aa17/09/2019



WEB COPY