

IN THE HIGH COURT OF JUDICATURE AT MADRAS**DATED : 03.06.2019****CORAM****THE HONOURABLE MR.JUSTICE M.DHANDAPANI****W.P.No.13811 of 2019****And****W.M.P.No.13884 of 2019**

Sundaresan

... Petitioner

Vs.

1.The Commissioner,
Corporation of Greater Chennai,
Ribbon Building, Chennai – 600 003.

2.The Zonal Officer,
Zone-9, Corporation of Greater Chennai,
Nungambakkam, Chennai – 34.

... Respondents

Prayer:

Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus to direct the respondent to grant permission to run a street vending shop at the junction of Giriappa Salai and Vijayaraghavan Salai in Ward 117, Part 24, Zone 9.

For Petitioner : Mr.V.S.Mannarasamy
For Respondents : Mrs.Anandhi

ORDER

The petitioner has filed this writ petition seeking issuance of Writ of Mandamus to direct the respondent to grant permission to run a

street vending shop at the junction of Giriappa Salai and Vijayaraghavan Salai in Ward 117, Part 24, Zone 9.

2.The grievance of the petitioner is that he is running a tiffin centre on movable four wheel and he made a representation to the Zonal Officer, Chennai Corporation to permit him to run a street vending shop at the junction of Giriappa Salai and Vijayaraghavan Salai in Ward 117, Part 24, Zone 9. Since the said representation was not forwarded to the Town Vending Committee and aggrieved by the said inaction, the petitioner has filed the present writ petition with the above said prayer.

3.The learned Standing Counsel appearing for the Corporation would submit that earlier there was no Act to protect the interest of the street vendors. After the direction issued by this Court, Act called The Street Vendors (Protection and Livelihood Regulation) Act, 2014, was enacted by the Central Government and Rules were framed, in which, the Town Vending Committee was constituted and the Town Vending Committee alone can entertain the representation made by the petitioner and the Zonal Officer has no power either to decide the representation or to forward the representation.

4.The learned Standing Counsel further submitted that in view of the above, the petitioner may be directed to make a representation to the Town Vending Committee and thereafter the Town Vending Committee has to pass appropriate orders on the representation of the petitioner.

5.The learned counsel appearing for the petitioner would submit that the petitioner is ready to make a representation to the Town Vending Committee and would further submit that liberty may be given to the petitioner to make a representation to the Town Vending Committee and direction may be issued to the Town Vending Committee to pass appropriate orders in accordance with the Rules and Government Orders.

6.Considering the above, I am inclined to grant liberty to the petitioner to make a representation to the Town Vending Committee within a period of two weeks from the date of receipt of a copy of this order. Thereafter, if such representation is made, the Town Vending Committee shall pass appropriate orders within a period of four weeks thereafter.

M.DHANDAPANI,J.

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

03.06.2019

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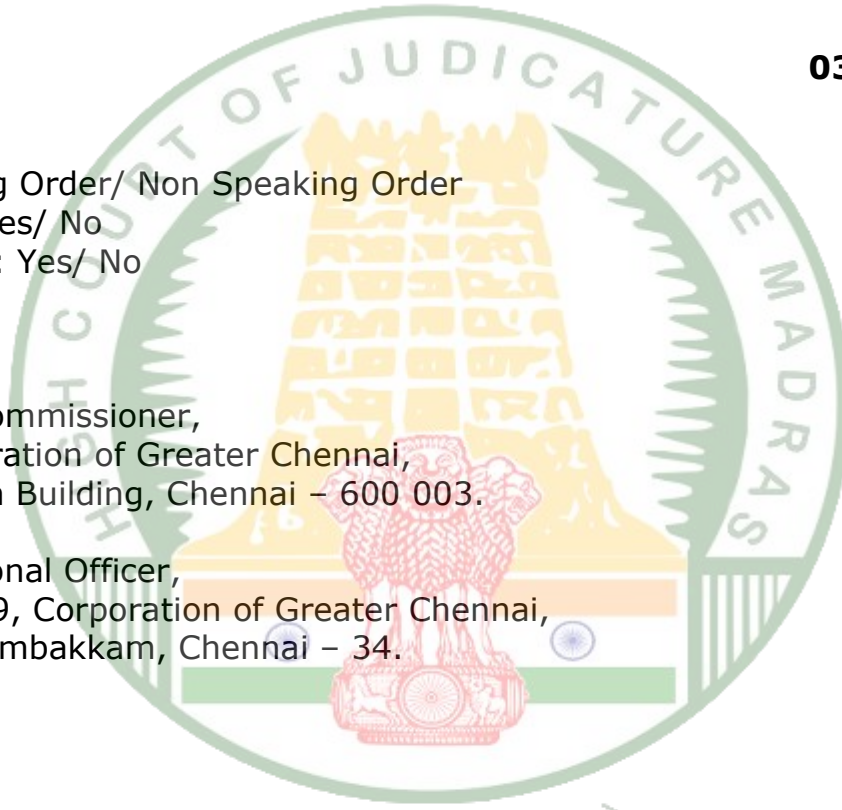
Speaking Order/ Non Speaking Order

Index: Yes/ No

Internet: Yes/ No

To

- 1.The Commissioner,
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