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IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 23.07.2019

CORAM:

THE HONOURABLE DR. JUSTICE G.JAYACHANDRAN

Writ Petition No.17236 of 2019
and
W.M.P.No.16781 of 2019

B.Girija

.. Petitioner

/versus/

1.The Commissioner,
Corporation of Chennai,
Rippon Buildings,
Chennai-600 003.

2.The Chairperson,
Zonal Executive Engineer Zone,
Zone No.10
(The Town Vending Committee),
Corporation of Chennai,
Chennai-600 034.

.. Respondents

Prayer: Writ Petitions are filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus directing the respondents to consider and pass orders on the petitioner's representation dated 19.03.2019, as per the provisions at 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 No.6, Bazullah Road, T.Nagar, Chennai-600 017 wherein selling Tea, Coffee, Juice, Cool drinks and chat and Food Tiffin items by using LPG Gas Stove.

For petitioner : Mr.R.Gopinath

For Respondents : Mrs.Karthika Ashok,
Standing counsel (Corpn.)



O R D E R

Heard the learned counsel for the petitioner and the learned counsel for the respondents.

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2. The case of the petitioner is that, she being a differently abled person put up a bunk at No.6, Bazullah Road, T.Nagar, Chennai-600 017 and selling Tea, Coffee and juice etc. The officials of the respondents herein are trying to disturb her for running the bunk shop. Therefore, she has given a representation on 19.03.2019 to the 2nd respondent to consider and to grant vending permission as per the provisions of the Street Vendors (Protection of Livelihood Regulation) Act 2014.

3. The learned counsel appearing for the respondents would submit that the petitioner has put up a the bunk shop unauthorizedly in the above said address and has sought for permission/certificate of vending. The Town Vending Committee under the Act has to survey the area and decide the feasible area for setting up bunk shops. According to the seniority and eligibility, shop will be permitted. So far as the petitioner is concerned, she has unauthorizedly put up the shop and given representation. The said representation cannot be considered as a post ratification process.

4. Considering the provisions of the Street vendors (Protection of Livelihood Regulation) Act, 2014 and the submissions made by the petitioner as well as the respondents, the request of the petitioner in this writ petition cannot be granted and hence writ petition is dismissed. Consequently, the connected miscellaneous petition is closed. No costs.

5. It is needless to say, if there is any application filed by the petitioner for grant of vending license, the same shall be considered and appropriate order to be passed by the Vending Committee as per eligibility and availability.

Sd/-

Assistant Registrar (Insp Cell)

//True Copy//

Sub Assistant Registrar

rpl

To

1.The Commissioner,
Corporation of Chennai,
Rippon Buildings,
Chennai-600 003.



2.The Chairperson,
Zonal Executive Engineer Zone,
Zone No.10
(The Town Vending Committee),
Corporation of Chennai,
Chennai-600 034.

+1cc to Mr.Karthikaa Ashok, Advocate, S.R.No. 62695
+1cc to Mr.R.Gopinath, Advocate, S.R.No. 63473

W.P.No.17236 of 2019
and
W.M.P.No.16781 of 2019

BS (CO)
GN(20/08/2019)