

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 25.02.2019

CORAM :

THE HON'BLE MRS.V.K.TAHILRAMANI, CHIEF JUSTICE

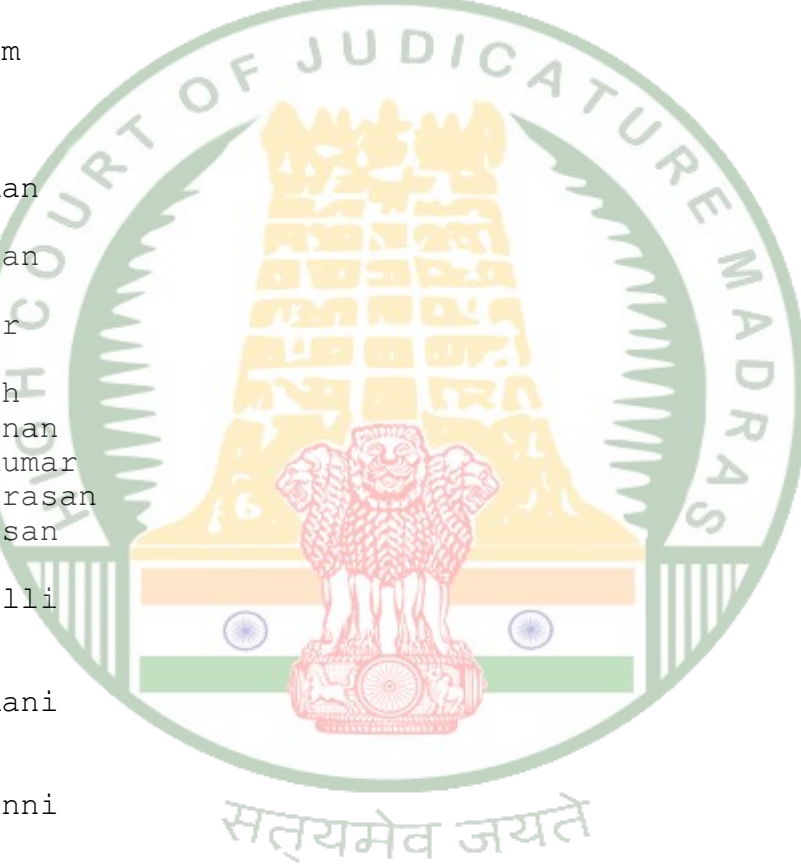
AND

The HON'BLE MR.JUSTICE M.DURAI SWAMY

W.P. No.18443 of 2018 and

W.M.P.No.21760 of 2018

- 1.P.Shanmugam
- 2.P.Mani
- 3.Amutha
- 4.S.Alagesan
- 5.V.Manikandan
- 6.D.Saranya
- 7.M.Manivannan
- 8.U.Kumar
- 9.K.Rajasekar
- 10.A.Sariba
- 11.K.Prasanth
- 12.M.Kalaivanan
- 13.R.Vijayakumar
- 14.R.Silambarasan
- 15.S.Kathiresan
- 16.D.Kala
- 17.K.Illaamalli
- 18.D.Sridhar
- 19.S.Anusuya
- 20.G.Thangamani
- 21.M.Karan
- 22.R.Thilaga
- 23.G.Velankanni
- 24.R.Suresh
- 25.Ranganathan
- 26.R.Solaimalai
- 27.R.Mala
- 28.R.Balaji
- 29.V.Rani
- 30.R.Srinivasan
- 31.Kanagaraj
- 32.E.Chithrakala
- 33.S.Jakir Hussain
- 34.Stephen
- 35.V.Haridoss
- 36.R.Chithra
- 37.Ramesh



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38.M.Uma
39.M.Amudha
40.A.Abdul
41.D.Arulmalar
42.M.Jayashree
43.M.Vasanth
44.S.Pandi
45.A.Karthi
46.R.Ajmal
47.D.Manikandan
48.Amul
49.R.Samil Ahamed
50.S.Ramesh
51.J.Naresh
52.Mahalakshmi
53.C.Selvaraj
54.A.Louis
55.E.Doss
56.Ramayee
57.V.Ramu
58.Asen
59.D.Padma
60.S.Uma
61.D.Suresh
62.K.Anbalagan
63.R.Padma

Vs.

... Petitioners

- 1.The Commissioner,
Corporation of Chennai,
Rippon Building,
Chennai - 600 003.
- 2.The Regional Deputy Commissioner (North),
Greater Chennai Corporation,
New No.105, Old No.47,
Basin Bridge Road,
Basin Bridge,
Chennai - 600 079.
- 3.The Chairman,
Hawking Zone Implementation Committee,
No.7/6, 3rd Cross Street,
R.A.Puram,
Chennai - 600 028.
- 4.The Managing Director,
Chennai Metro Rail Ltd.,
Koyambedu,
Chennai - 600 107.

5.Town Vending Committee,
rep by its Chairman,
Greater Chennai Corporation Zone-5,
No.61, Basin Bridge Road,
Old Washermenpet,
Chennai - 600 021.

.. Respondents

(R4 impleaded vide order dated 06.12.2018 made in W.M.P.No.37659/2018 and R5 impleaded vide order dated 14.02.2018 made in W.M.P.No.4922 of 2019)

Prayer : Writ Petition filed under Article 226 of the Constitution of India praying for issue of Writ of mandamus directing the 1st respondent to issue a identity card and license and also to allot a permanent place of hawking namely pavement leading to Chennai Park railway station either by allowing the present place of hawking or any other place identified for hawking as done to the similarly placed hawkers in accordance with the order in W.P.No.1049 of 2006 dated 06.04.2006.

For Petitioners : Mr.R.Syed Mustafa

For Respondents : Mr.Arunmozhi (R1, R2 & R5)
Mr.S.Kamalesh Kannan,
Government Advocate (R3)
Mr.Jayesh B.Dolia
for M/s.Aiyar & Dolia (R4)

O R D E R

(Order of the Court made by the Hon'ble Chief Justice
and M.Duraiswamy, J.)

The petitioner has filed the above Writ Petition to issue a Writ of mandamus directing the 1st respondent to issue a identity card and license and also to allot a permanent place of hawking namely pavement leading to Chennai Park railway station either by allowing the present place of hawking or any other place identified for hawking as done to the similarly placed hawkers in accordance with the order in W.P.No.1049 of 2006 dated 06.04.2006.

2.It is the case of the petitioners that they are doing their work as Street Vendors/Hawkers on Chennai Park Railway Station Pavement for more than a decade and some of them for more than 35 years and hawking goods such as hosiery, toys, bags, slippers, ready-made shirts, hand purse, watches, fancy materials, etc. The petitioners made a representation to the respondents 1 & 3 dated 08.05.2018, 28.05.2018 and 29.05.2018 expressing their grievance to consider the Hawkets and issue an

identity card and license, however, the respondents have not passed any order so far.

3.The learned counsel appearing for the 5th respondent viz., the Town Vending Committee, submitted that the petitioners may be directed to approach the Town Vending Committee to redress their grievance and the Committee may be directed to consider the petitioners grievance within a period of three months.

4.The learned counsel appearing for the petitioners also submitted that the petitioners would give a representation to the Town Vending Committee and the Town Vending Committee may be directed to pass orders in accordance with law within three months time.

5.In view of the submissions made by the learned counsel on either side, it is open to the petitioners to give their representation with regard to the relief sought for in the Writ Petition and on submission of the same, the 5th respondent viz., the Town Vending Committee shall consider the same and pass orders in accordance with law within a period of three months from the date of receipt of the representation.

6.With these observations, the Writ Petition is disposed of. No costs. Consequently, the connected miscellaneous petition is closed.

Sd/-
Assistant Registrar(CCC)

//True copy//

Sub Assistant Registrar

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To

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

2.The Regional Deputy Commissioner (North),
Greater Chennai Corporation,
New No.105, Old No.47, Basin Bridge Road,
Basin Bridge, Chennai - 600 079.

3.The Chairman,
Hawking Zone Implementation Committee,
No.7/6, 3rd Cross Street,
R.A.Puram,
Chennai - 600 028.

4.The Managing Director,
Chennai Metro Rail Ltd.,
Koyambedu, Chennai - 600 107.

5.The Chairman,
Town Vending Committee,
Greater Chennai Corporation Zone-5,
No.61, Basin Bridge Road,
Old Washermenpet,
Chennai - 600 021.

+1cc to Mr.Jayesh B Dolia, Advocate SR.No.17190

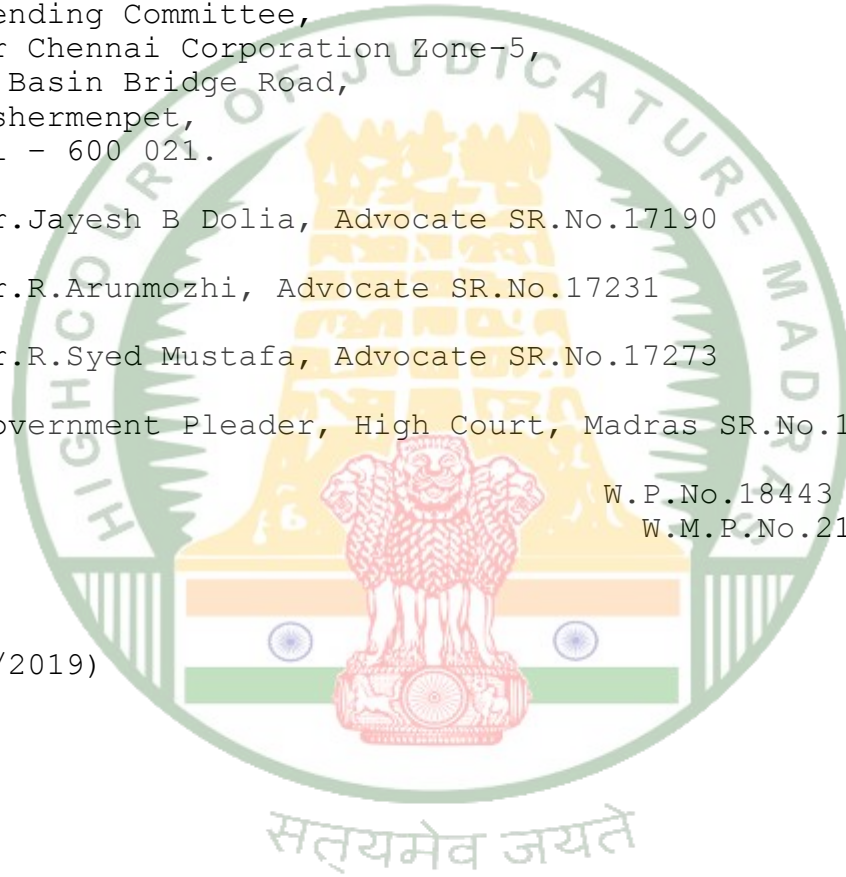
+1cc to Mr.R.Arunmozhi, Advocate SR.No.17231

+1cc to Mr.R.Syed Mustafa, Advocate SR.No.17273

+1cc to Government Pleader, High Court, Madras SR.No.17293

W.P.No.18443 of 2018 and
W.M.P.No.21760 of 2018

MR(CO)
GMY(18/03/2019)



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