

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 16.08.2019

CORAM

THE HON'BLE MRS.VIJAYA K.TAHILRAMANI, CHIEF JUSTICE
AND
THE HON'BLE MR.JUSTICE M.DURAI SWAMY

W.P.No.32824 of 2018

Vijayalakshmi

.. Petitioner

Vs

- 1 The Chairman
Hawking Zone
Implementation Committee
No.7/6, R.A.Puram, 3rd Street
Raja Annamalaipuram
Chennai - 600 027.
- 2 The Commissioner
Corporation of Greater Chennai
Rippon Building
Chennai - 600 003.
- 3 The Deputy Commissioner of Police
Office of the Deputy Commissioner
Adayar Range, Adayar
Chennai - 600 020.
- 4 The Inspector of Police (Law and Order)
Pazavanthangal Police Station
Pazhavanthangal
Chennai - 600 114.
- 5 The Inspector of Police (Traffic)
Pazhanvanthangal Transport Department
Pazhanvanthangal
Chennai - 600114.

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6 Town Vending Committee
Greater Chennai Corporation
Zone No.12, No.1, New Street
Alandur, St.Thomas Mount
Chennai - 600 016.
(R6 - Impleaded as per order dated
26.07.2019 in WMP.No.18560/2019)

.. Respondents

PRAYER: Petition under Article 226 of the Constitution of India seeking issuance of a writ of mandamus directing respondents 1 and 2 to implement the provision of Street Vendors Protection of Livelihood and Regulation of Street Vending Act-7 of 2014 and in any event not to evict the petitioner without following the procedures to regularize the petitioner under Section 12(1) of the Act 2016 and completed in terms of Act 2009 Policy.

For Petitioner : Mr.N.Moorthi

For Respondents : Mr.R.Arunmozhi
for respondents 1, 2 and 6

Mr.S.N.Parthasarathi
Government Advocate
for respondents 3 to 5

ORDER

(Order of the Court was made by M.DURAI SWAMY, J.)

The above writ petition has been filed by the petitioner to issue a writ of mandamus directing respondents 1 and 2 to implement the provision of Street Vendors (Protection of Livelihood and Regulation of Street Vending) Act, 2014 and not to evict the petitioner without following the procedures to regularize the petitioner under Section 12(1) of the Act 2016 and as contemplated under Act 2009.

2. The petitioner is apprehending that she may be evicted from the place in dispute by the respondents and, therefore, she has filed the writ petition.

3. Mr.R.Arunmozhi, learned counsel appearing for the second respondent/Corporation of Chennai submitted that the respondent Corporation is not going to evict the petitioner without a final decision being taken by the sixth respondent. Further, the learned counsel submitted that only if the sixth respondent, i.e., Town Vending Committee, comes to the conclusion that the petitioner is carrying on business in a non-vending zone, the respondent/Corporation will take action to remove the petitioner from the encroached portion. The said submission made by the learned counsel for the respondent Corporation is recorded.

In view of the above, no further orders are required to be passed in this writ petition and the same is disposed of accordingly. No costs. Consequently, W.M.P.No.38031 of 2018 is closed.

-s/d-

Assistant Registrar(CCC)

True Copy

Sub-Assistant Registrar

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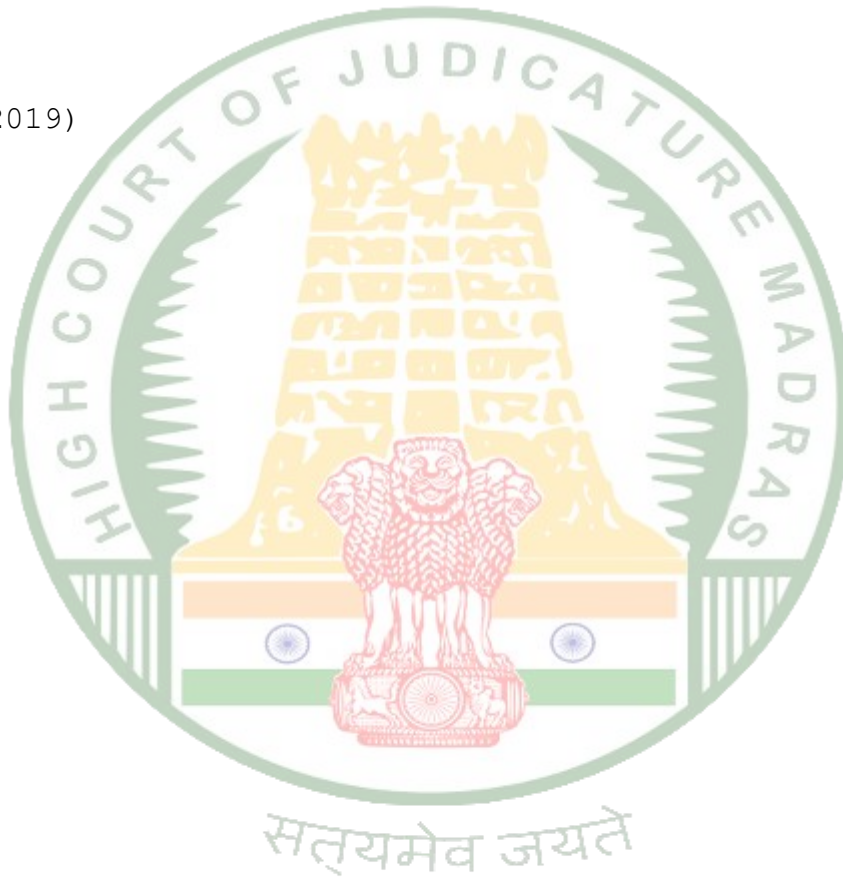
To:

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Greater Chennai Corporation
Zone No.12, No.1, New Street
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+1 CC to The Govt. Pleader sr 70501.
+1 CC to Mr.S.Saravanan, Advocate sr 70797.
+1 CC to M/s.R. Arunmozhi, Advocate sr 70453.

W.P.No.32824 of 2018

PPA (CO)
SP (13/09/2019)



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