

THE HON'BLE SRI JUSTICE CHALLA KODANDA RAM

WRIT PETITION No.19397 of 2019

ORDER:

In this Writ Petition, petitioner seeks a Mandamus declaring the action of respondents in not allowing him to do his business in a peaceful manner in spite of having valid I.D. Card issued by the authority concerned, as illegal and arbitrary and in violation of Sections 623 and 624 of Hyderabad Municipal Corporations Act, 1955.

It is the case of the petitioner that he has been recognized as a street vendor under the Street Vendors (Protection of Livelihood and Regulation of Street Vending) Act, 2014, and given an identity card bearing I.D.No.SV32588900504 and is carrying on the business of meat and fish since ten (10) years. In the circumstances, his business cannot be interfered with by the respondents day-in and day-out.

Learned Standing Counsel for Greater Hyderabad Municipal Corporation appearing for the respondents submits that the petitioner is squatting on the footpath, thereby, causing hindrance to the pedestrians, as such, the respondent authorities are asking him to remove the stall, however, they would follow due process of law.

Having regard to the above, without expressing any opinion on the question whether the petitioner is doing business on the footpath causing obstruction to the public or not, and as it is mandatory for the respondent authorities to follow due process by issuing a notice and calling for explanation, the respondent authorities shall not interfere with the business of the petitioner without following due process of law.

Subject to the above, the Writ Petition is disposed of.

Miscellaneous Petitions, if any pending, shall stand disposed of. There shall be no order as to costs.

CHALLA KODANDA RAM, J

12th SEPTEMBER, 2019.

Note: issue c.c. in one week.

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