

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.02.2020

CORAM

THE HONOURABLE MR.JUSTICE R.SUBBIAH
and
THE HONOURABLE MR.JUSTICE R.PONGIAPPAN

Writ Petition No.5152 of 2020

J.A.Berlin
S/o.T.John Vijayakumar

... Petitioner

Vs

The Chairperson/
Zonal Executive Engineer Zone No.7,
(The Township Vending Committee),
Corporation of Chennai,
Chennai - 600058.

... Respondent

Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus forbearing the respondent, its officials, servants from interfering with the running of the petitioner's bunk shop near Sundaram Medical Foundation Compound Wall, South Phase, 14th Street, Wavin, Ambattur, Chennai - 600058, wherein selling tea, coffee, snacks and other food items therein till the petitioner's representation dated 20.02.2020 is considered and decided as per the provision of the Street Vendors (Protection of Livelihood Regulation) Act, 2014 by respondent.

For Petitioner : Mr.L.Chandrakumar

For Respondents: Mr.K.Raja Shrinivas

O R D E R

[Order of this Court was made by R.SUBBIAH, J]

Petitioner has filed this Writ Petition seeking issuance of a Writ of Mandamus forbearing the respondent and its officials, servants from interfering with the running of petitioner's bunk shop near Sundaram Medical Foundation Compound Wall, South Phase, 14th Street, Wavin, Ambattur, Chennai - 600058, wherein selling tea, coffee, snacks and other food items therein till the petitioner's representation dated 20.02.2020 is considered and decided as per the

provision of the Street Vendors (Protection of Livelihood Regulation) Act, 2014, by respondent.

2. In the affidavit, it is stated that the petitioner is a self-employed person running bunk shop near Sundaram Medical Foundation Compound Wall, South Phase, 14th Street, Wavin, Ambattur, Chennai - 600058, for the past one year. Petitioner is selling tea, coffee, snacks and other food items. The officials of the respondent have been frequently visiting his shop and threatening him to remove the shop since the same is unauthorised. Therefore, petitioner submitted a representation dated 20.02.2020 requesting the respondent to conduct enumeration process for issuing I.D. Card and certificate of vending for continuing his bunk shop business in the said place. Since no action has been taken on the petitioner's representation, the present Writ Petition has been filed seeking the aforesaid relief.

3. Heard learned counsel for petitioner and learned counsel for respondent.

4. Learned counsel for petitioner also submits that Central Government has enacted 'The Street Vendors (Protection of Livelihood Regulation) Act, 2014', safeguarding the 'Street Vendors' by regulating their business. As per the provisions of the said Act, the State Government has to form a Township Vending Committee and take steps to regulate street vending and till such time, the business of the street vendors shall not be interfered. Learned counsel further submits that the petitioner's representation may be placed before the Township Vending Committee for consideration.

5. Considering the limited prayer sought for in this petition, this Court, without going into the merits of the claim made by the petitioner, directs the respondent to place the petitioner's representation dated 20.02.2020 before the Township Vending Committee within a period of one week from the date of receipt of this order, which, in turn, shall consider the same and pass appropriate orders on merits and in accordance with law within a period of two weeks thereafter.

The Writ Petition is disposed of with the above direction. No costs.

Sd/-
Assistant Registrar (CS-V)

//True copy//

Sub Assistant Registrar

To

The Chairperson/
Zonal Executive Engineer Zone No.7,
(The Township Vending Committee),
Corporation of Chennai,
Chennai - 600058.

+1cc to Mr.L.Chandrakumar, Advocate SR.No.18646

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MP (CO)
GMY (04/03/2020)