

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 07.04.2021

CORAM

THE HONOURABLE MR.JUSTICE R.MAHADEVAN

W.P.Nos.10218 & 10221 of 2019

|            |                                       |
|------------|---------------------------------------|
| Sankari    | ... Petitioner in WP.No.10218 of 2019 |
| V.Arumugam | ... Petitioner in WP.No.10221 of 2019 |

Vs

1. The Commissioner,  
Corporation of Chennai,  
Ripon Buildings, Chennai 600 003.
2. The Chairperson /  
Zonal Executive Engineer Zone No.9,  
(The Township Vending Committee)  
Corporation of Chennai,  
Chennai 600 034. ... Respondents in both WPs

Prayer in WP.No.10218 of 2019:- Petition filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Mandamus directing the respondents to consider and pass orders on the petitioner's representation dated 26.12.2018 as per the provisions of the Street Vendors (Protection of Livelihood Regulation) Act, 2014 made for granting permission/Certificate of Vending and till such time not to disturb with running of the petitioner's bunk shop near Door No.117, Nungambakkam High Road, near HR & CE Compound Wall, Chennai 600 006, wherein selling tea, coffee, snacks and other food items and pass such further or other orders as this Hon'ble Court may deem fit and proper in the facts and circumstances of the case.

Prayer in WP.No.10221 of 2019:- Petition filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Mandamus directing the respondents to consider and pass orders on the petitioner's representation dated 13.03.2019 as per the provisions of 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 near Khosha Hospital Compound, opposite to Aparna Finance, Bells Road, Triplicane, Chennai 600 005, wherein I am selling tea, coffee, snacks and other food

items therein and pass such further or other orders as this Hon'ble Court may deem fit and proper in the facts and circumstances of the case.

For Petitioners : Mr.R.Kamaraj in both WPs

For R1 : Mrs.Karthikaa Ashok in both WPs

For R2 : Mr.Saravanan in both WPs

#### COMMON ORDER

The petitioners have filed these writ petitions to direct the respondents to consider their respective representations dated 26.12.2018 and 13.03.2019, wherein, the petitioners requested to grant of permission / licence to run their respective bunk shops situated at Door no.117, Nungambakkam High Road, Chennai-6 and Bells Road, Triplicane, Chennai, near Khosha Hospital Compound.

2. According to the learned counsel for the petitioners, the petitioners are physically handicapped and they are running their respective bunk shops for the past several years. The learned counsel further submitted that since the respondent officials are taking steps to forcibly evict the petitioners from the shops in question, they approached the Vending Committee constituted under the provisions of the Street Vendors (Protection of Livelihood Regulation) Act, 2014, by way of representations dated 26.12.2018 and 13.03.2019 and the same are pending without any progress. Hence, these writ petitions.

3. The learned counsel for the first respondent submitted that the grievance of the petitioners has to be redressed by the second respondent and the first respondent has no role in this regard.

4. On the other hand, the learned counsel for the second respondent fairly submitted that the second respondent would consider the petitioners representations and pass orders, on merits, within a time frame to be stipulated by this Court.

5. Considering the facts and circumstances of the case and having regard to the submissions made by the learned counsel on either side, this Court directs the second respondent to consider the petitioners' respective representations dated 26.12.2018 and 13.03.2019 and pass appropriate orders, on merits and in accordance with law, within a period of eight weeks from the date of receipt of a copy of this order.

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

Sd/-  
Assistant Registrar

//True Copy//

Sub Assistant Registrar

To

1. The Commissioner,  
Corporation of Chennai,  
Ripon Buildings, Chennai 600 003.

2. The Chairperson /  
Zonal Executive Engineer Zone No.9,  
(The Township Vending Committee)  
Corporation of Chennai,  
Chennai 600 034.

+2 cc to Mr.R.Kamaraj, Advocate, SR.No.22061 and 22062

+2 cc to M/s. Karthikaa Ashok, Advocate, SR.No.21981 and 21982

W.P.Nos.10218 & 10221 of 2019

NMI (CO)  
NS (04/05/2021)