

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated 02.06.2021

CORAM:

THE HONOURABLE MR. JUSTICE R.SUBBIAH
and
THE HONOURABLE MRS.JUSTICE S.KANNAMMAL

W.P. No.11277 of 2021

Bharathi

... Petitioner

Versus

1. The Commissioner,
Corporation of Chennai,
Rippon Building,
Chennai 600 003.
2. The Chairman,
The Street Vending Committee,
Corporation of Chennai.,
Rippon Building, Chennai-600 003. ... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India seeking to issue a Writ of Mandamus, directing the second respondent to consider the representation of the petitioner dated 20.04.2021 and to allot the petty bunk shop at South Koovam Road, near R.R.Stadium, Pudupettai, Chennai 600 002 comprised in Ward No.63, Division-14 Zone-5 of Chennai Corporation as per "The Street Vendors (Protection of Livelihood Regulation) Act, 2014" to the petitioner.

For petitioner : Mr.N.Ganeshmurthy

For respondents : Mr.R.Gopinath

ORDER

(The Order of the Court was made by R.Subbiah, J)

The Writ Petition is heard through video conferencing.

2. The present Writ Petition has been filed seeking for a direction to the respondents to consider the representation of the petitioner dated 20.04.2021 and to allot a bunk shop at South Koovam Road, near R.R.Stadium, Pudupettai, Chennai.

3. It is the case of the petitioner that she is a physically challenged woman with 45% orthopaedic disability and she is running a bunk shop at South Koovam Road, Pudupettai, Chennai for her livelihood. It is the further case of the petitioner that she is running the bunk shop in a hygienic manner without causing any nuisance to the public. Hence, she made a representation to the respondents on 20.04.2021 for approval and allocation of the said bunk shop by the second respondent Committee as per the Street Vendors (Protection of Livelihood and Regulation of Street Vending) Act, 2014 and also not to disturb her peaceful possession till the approval. The said respondent has not been considered by the respondents till date and hence, the present Writ Petition is filed.

4. Though very many contentions have been raised in the writ petition and since the prayer in the petition is very explicit, we are not dealing with other aspects.

5. The learned counsel for the respondent-Corporation of Chennai submitted that the second respondent-Committee is ready to consider the representation of the petitioner within a specified time that may be fixed by this Court.

6. In view of the above submissions and also considering the nature of prayer sought for in the Writ Petition, this Court, without going into the merits of the case, directs the second respondent-Committee to consider the said representation of the petitioner and pass appropriate orders on merits and in accordance with law, after providing an opportunity of hearing to the petitioner, within a period of six weeks from the date of receipt of a copy of this order.

7. With the above direction, the Writ Petition is disposed of. No costs.

Sd/-
Assistant Registrar(CO)

//True Copy//

Sub Assistant Registrar

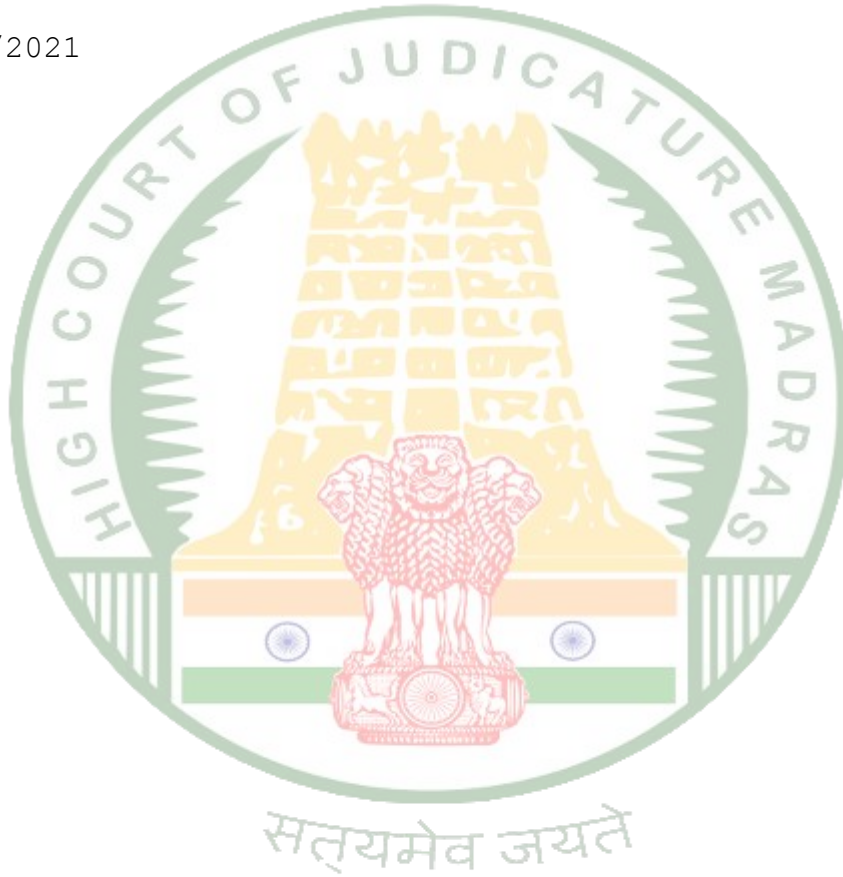
pvs
To

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

2. The Chairman,
The Street Vending Committee,
Corporation of Chennai,
Rippon Building, Chennai-600 003.

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