



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 03.12.2021

CORAM

THE HONOURABLE MR.JUSTICE R.SURESH KUMAR

W.P. No. 25766 of 2021

Alex

... Petitioner

-vs-

1. The Special Commissioner,
For Handicapped,
Office of the State Commissioner of Disabled,
No.5, Lady Wellington College Campus,
Kamarajar Salai, Triplicane, Chennai - 600 005.

2. The Commissioner,
Greater Chennai Corporation,
Rippon Building,
Chennai - 600 003.

3. The Commissioner of Police,
Commissioner Office,
Vepery, Chennai - 600 007.

... Respondents

PRAYER : Writ Petition filed under Article 226 of the Constitution of India, praying for issuance of Writ of Mandamus directing the second respondent to dispose of the petitioner's representation dated on 13.07.2021, issuance of License for bunk shop on the line of North Boag Road by the side Kovai Pazhamudir Nilayam, T.Nagar, Chennai, selling Old books.

For Petitioner : Mr.T.Balachandran

For Respondents : M/s.P.T.Ramadevi
Standing counsel for R2
Mrs.R.L.Karthika
Government Advocate for R3



petitioner though had been given to the first respondent, may not be feasible for compliance as the Committee seems to have no knowledge about the representation of the petitioner.

8. The same view has been expressed by Ms.R.L.Karthika, learned Government Advocate appearing for first and third respondents.

9. I have considered the said submissions made by the learned counsel for both the parties and perused the materials placed on record.

10. In view of the provisions of the Street Vendors (Protection of Livelihood Regulation) Act, 2014, since, the Street Vending Committee has already been constituted, which time and again is taking decision as to whether a particular area or street under the second respondent Corporation limit can be permitted to have a Street Vending business or not and in this regard in every zone, certain area or streets are declared to be permissible area, like that some of the areas or streets are declared to be non-permissible area. Whether the particular area where the petitioner is already running a shop and now seeks for permission, is a permissible area or not has to be decided only by the Street Vending Committee. Therefore, in this regard, the necessary application has to be submitted by the petitioner to the Street Vending Committee, with a copy marked to the second respondent i.e., The Commissioner of Corporation of Chennai.

11. In that view of the matter, this Court is inclined to pass the following order in this writ petition:

(i) That the petitioner should make an application in a prescribed format to the Street Vending Committee Constituted under the Street Vendors (Protection of Livelihood) Regulation Act, 2014 and on receipt of the same, the second respondent shall forward the same to Street Vending committee who on receipt of either directly from the petitioner as indicated above or from the second respondent who forwards the same, shall take a decision as to the request of the petitioner and accordingly, that can be communicated to the second respondent for further action with regard to the permission for the petitioner or otherwise to have his Street Vending business.

(ii) The needful as indicated above shall be undertaken by the second respondent /



Street Vending Committee within a period of six weeks from the date of receipt of copy of this order.

WEB COPY

12. With these direction, this writ petition is disposed of. No costs.

Sd/-

Assistant Registrar(CS-II)

// True Copy //

Sub Assistant Registrar

rap/kst

To

1. The Special Commissioner,
For Handicapped,
Office of the State Commissioner of Disabled,
No.5, Lady Wellington College Campus,
Kamarajar Salai, Triplicane, Chennai - 600 005.
2. The Commissioner,
Greater Chennai Corporation,
Rippon Building,
Chennai - 600 003.
3. The Commissioner of Police,
Commissioner Office,
Veperiy, Chennai - 600 007.

Copy to: The Street Rending Committee,
Zone-9,
Corporation of Chennai,
Chennai.

+1cc to M/s.P.T.Ramadevi, Advocate SR.No.63918
+1cc to Mr.T.Balachandran, Advocate SR.No.63668
+1cc to the Government Pleader, SR.No.63774

W.P. No. 25766 of 2021

RSI(CO)
CB(03/01/2022)