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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 15.12.2021

CORAM :

THE HONOURABLE MR.JUSTICE R.SURESH KUMAR

W.P.No.26705 of 2021

D.Murugan

... Petitioner

-Vs-

1. The Commissioner
Corporation of Chennai,
Rippon Building,
Chennai 600 003.
2. The President
Town Vending Committee
Chennai Corporation Zone-14, Perungudi
Chennai 600 091.

... Respondents

Prayer : Writ Petition under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus directing the respondents to consider the petitioner's representation dated 21.10.2021 and pass necessary orders within the time stipulated by this Hon'ble Court.

For Petitioner : Mr.V.Achuthanandan

For Respondents : Ms.P.T.Ramadevi
Standing Counsel

O R D E R

The prayer sought for herein is for a Writ of Mandamus directing the respondents to consider the petitioner's representation dated 21.10.2021 and pass necessary orders within the time stipulated by this Hon'ble Court.

2. The case of the petitioner is that, the petitioner is a differently abled person and his disability is 65%. The petitioner, for his livelihood, intended to have a tea shop by



way of a bunk shop or street vending shop at Velachery Main Road, Pallikkaranaï, Narayanapuram, Chennai. Therefore, in order to get permission from the respondents, as per the provisions of the Street Vendors (Protection of Livelihood) Regulation Act 2014, he has made a representation / application to the respondents on 21.10.2021 and since the same has not been considered, he has approached this Court by filing the present writ petition with the aforesaid prayer.

3. Reiterating the aforesaid facts, the learned counsel for the petitioner seeks the indulgence of this Court by way of a direction to the respondents to consider his representation and pass orders thereon.

4. Heard Ms.P.T.Ramadevi, learned Standing Counsel appearing for the respondents, who, on instructions would submit that, whether the place wherein the petitioner seeks permission to have the street vending business is a vending zone or non-vending zone is to be decided only by the second respondent Committee. Therefore, the representation given by the petitioner dated 21.10.2021 would be placed before the said Committee during the next meeting and depending upon the decision to be taken by the Committee, further action would be taken by the first respondent and the same would be communicated to the petitioner.

5. Considering the limited scope of the prayer and having regard to the said submission made by the learned counsel for the parties, this Court is inclined to dispose of this writ petition with the following order.

"That there shall be a direction to the second respondent to consider the representation of the petitioner dated 21.10.2021 with regard to his plea to seek permission to have street vending business in the aforesaid place and accordingly decide the same in accordance with the provisions of the Street Vendors (Protection of Livelihood) Regulation Act, 2014 and once a decision is taken, the same can be communicated to the first respondent, who in turn, depending upon the same, pass suitable orders and communicate the same to the petitioner. The aforesaid exercise shall be undertaken by the respondents within a period of eight weeks from the date of receipt of a copy of this order."



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6. With the above direction, this writ petition is disposed of. No costs.

Sd/-
Assistant Registrar(CCC)

//True Copy//

Sub Assistant Registrar

KST

To

1. The Commissioner,
Corporation of Chennai,
Rippon Building,
Chennai 600 003.
2. The President, Town Vending Committee
Chennai Corporation Zone-14,
Perungudi, Chennai 600 091.

+1cc to Mr.V.Achuthanandan, Advocate, S.R.No.67259

+1cc to M/s.P.T.Ramadevi, Advocate, S.R.No.67325

W.P.No.26705 of 2021

GSM(CO)
SU(06/01/2022)