



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 03.12.2021

CORAM

THE HONOURABLE MR.JUSTICE C.V.KARTHIKEYAN

W.P(MD)No.21428 of 2021

and

W.M.P. (MD)No.17994 of 2021

1.Rengasamy
2.Haleel Shab
3.Karuppannan
4.Sundarrajan
5.Mahalakshmi
6.Maheswari
7.Selvi
8.Leela
9.Subha
10.Bilal

... Petitioners

Vs.

1.The District Collector,
Office of the Collector,
Trichy.

2.The Commissioner,
Trichy Municipality Corporation,
Trichy.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the respondents herein to provide alternative place within the Chathiram Bus stand area at Trichy by considering the petitioners' representation dated 12.08.2021 in the event that the Town Vending Committee is not constituted by the authorities.

For Petitioner : Mr.B.Jameel Arasu

For R1 : Mr.S.Kameswaran
Government Advocate

For R2 : Mr.R.Baskaran
Additional Advocate General /
Standing Counsel



ORDER

This Writ Petition is filed in the nature of Writ of Mandamus, seeking consideration of representation dated 12.08.2021.

2. There are 10 writ petitioners. All of them, are engaged in street vending business at Chitra Complex opposite to Chathiram Bus Stand, Trichy. They claim that they have been doing the street vending business for the past 20 years. Now their business is at threat by the renovation works that the second respondent has undertaken. Their continuation of the business is apprehended to be threatened. They seek protection. They have given a representation on 12.08.2021.

3. Heard Mr. Kameswaran, learned Government Advocate appearing for the first respondent and Mr. R. Baskaran, learned Additional Advocate General / Standing Counsel appearing for the second respondent.

4. The second respondent, necessarily, while considering the representations given by the petitioners, has to give opportunity of personal hearing of the petitioners, take necessary steps to verify that the petitioners herein are actually doing street vending business in their own names and also identify them and examine their bonafide and thereafter, take into consideration the nature of construction they are putting up and examine the representation in its true letter and spirit.

5. At any rate, let the second respondent pass necessary orders on the said representation, on or before 31.01.2022. So long as the representation of the petitioners are kept alive, pending enquiry, they need not be disturbed by the second respondent.

6. With the said observations, this Writ Petition stands disposed of. No costs. Consequently, connected miscellaneous petition is also closed.

Sd/-

Assistant Registrar (Records)

// True Copy //

/ /2021

Sub Assistant Registrar (CS)

pnn

Note : In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.



To

1.The District Collector,
Office of the Collector,
Trichy.

2.The Commissioner,
Trichy Municipality Corporation,
Trichy.

+1 CC to M/s.R.BASKARAN, Advocate (SR-37278[F] dated 03/12/2021)

+1 CC to M/s.SPL GP (SR-37387[F] dated 06/12/2021)

**W.P (MD) No.21428 of 2021
03.12.2021**

RD(20.12.2021) 3P 5C