



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 25.01.2022

CORAM

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P.No.905 of 2022
(Through Video Conferencing)

Mr.F.Magbul Basha

...Petitioner

Vs

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

2. The Commissioner of Police
O/o. Commissioner of Police,
Greater Chennai,
Vepery
Chennai - 600 007.

3. The Deputy Commissioner (Zonal Officer)/Chairperson
Cum Zonal Executive Engineer, Township Vending Committee,
Zone - 9, Corporation of Greater Chennai,
Nungambakkam,
Chennai - 600 034.

...Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus or direction directing the 3rd respondent to consider the representation dated 18.12.2021 as per the provision of the Street Vendors (Protection of Livelihood Regulation) Act, 2014 and still such time not to disturb with the bunk shop near accompanied with Tea, Coffee, Snacks and other food items situated within the time limits of 1st Respondent Chennai Corporation Ward No.111, Zone-9, Whites Road, E.A.Commercial Complex opposite to Gate No.5, Royapettah, Chennai - 600 014.

For Petitioner : Mr.B.Karthikeyan

For Respondents : Ms.P.T.Rama Devi
Standing Counsel



ORDER

The relief sought for in the present writ petition is to direct the third respondent to consider the representation dated 18.12.2021, as per the provisions of the Street Vendors (Protection of Livelihood Regulation) Act, 2014.

2. Now licence is not granted for bunk shops on public roads. All such street vending businesses are regulated under the provisions of the aforesaid Act. The Committee was constituted for the purpose of regulating the street vending business and therefore, the petitioner has no right to continue the bunk shop without any proper licence from the competent authorities.

3. The petitioner is at liberty to file an appropriate application before the competent committee for the purpose of considering his case for allotment of shop in the designated area for running the business. Thus the petitioner has to approach the Committee for the purpose of redressal of his grievances. However, an unauthorized bunk shop can never be allowed to continue. The authorities are bound to remove all unauthorized bunk shops or encroachments in roads for the purpose of free flow of traffic and for the benefit of the road users.

4. With this direction, the writ petition stands dismissed. There shall be no order as to costs.

Sd/-

Assistant Registrar(CS-IX)

//True Copy//

Sub Assistant Registrar

nst/cse

To

1. The Corporation Commissioner,
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Rippon Building,
Chennai - 600 003.
2. The Commissioner of Police
O/o. Commissioner of Police,
Greater Chennai,
Vepery
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3. The Deputy Commissioner (Zonal Officer)/Chairperson
Cum Zonal Executive Engineer,
Township Vending Committee,
Zone - 9, Corporation of Greater Chennai,
Nungambakkam,
Chennai - 600 034.

+1cc to M/s.R.T.Ramadevi, Advocate, S.R.No.4376

+1cc to Mr.A.Arunkumar, Advocate, S.R.No.4611

W.P.No.905 of 2022

GPL (CO)
RGA (14/02/2022)