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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 10.06.2022

CORAM

THE HONOURABLE MR.JUSTICE T.RAJA
and
THE HONOURABLE MR.JUSTICE K. KUMARESH BABU

W.P.No.4303 of 2022

V.Ganesh

...Petitioner

-vs-

1.The Commissioner,
Greater Chennai Corporation,
Rippon Building, Chennai 600003.

2.The Chairperson,
Zonal Executive Engineer (Zone 9),
(The Town Vending Committee),
Greater Chennai Corporation,
No.4, 4th Cross Street, Lake View Road,
Nungambakkam, Chennai 600034.

...Respondents

Writ Petition filed under Article 226 of the Constitution of India seeking for issuance of a Writ of Mandamus, directing the respondents to consider and pass order on the petitioner's representation dated 29.12.2021 as per the provisions of the Street Vendors (Protection of Livelihood and Regulation of Street Vending) Act 2014 made for granting permission/certificate of vending and till such time not to disturb with the running of the petitioner's bunk shop near Mandira Apartment, Raman Street Corner, North Boag Road, T.Nagar, Chennai 600017, wherein selling tea, coffee and snacks by using LPG stove.

For Petitioner : Mr.K.Lavan

For Respondents : Mr.K.Raja Shrinivas,
Standing Counsel for R1 and R2

ORDER

(Order of the Court was made by T.RAJA, J.)

This petition has been filed for issuance of a Writ of Mandamus to direct the respondents to consider and pass order on the petitioner's representation dated 29.12.2021 as per the provisions of the Street Vendors (Protection of Livelihood and Regulation of Street Vending) Act, 2014 and grant permission/certificate of vending.



2. Learned counsel for the petitioner submitted that the petitioner belongs to a poor backward class community. He is eking out his livelihood by putting up a small bunk shop near Mandira Apartment at North Boag Road, T.Nagar Chennai and selling tea, coffee and biscuits. He made a representation dated 29.12.2021 to the respondents to grant certificate of vending in his name for the above bunk shop.

3. Learned counsel for the petitioner further submitted that, on 12.03.2022, the petitioner gave a fresh representation to the Chairperson/Zonal Executive Engineer of Zone X, Greater Chennai Corporation, which is enclosed in the additional typed set of papers along with postal receipt dated 14.03.2022. If a direction is given to the Chairperson/Zonal Executive Engineer of Zone X to consider his representation, he would be satisfied and no prejudice would be caused to either parties.

4. Learned Standing Counsel appearing for the respondents would submit that the Zonal Executive Engineer of Zone X, Greater Chennai Corporation is ready to take appropriate action in accordance with law on the representation of the petitioner.

5. Considering the above submissions, this Court without going into the merits of the case, directs the Chairperson/Zonal Executive Engineer of Zone X, Greater Chennai Corporation, to consider the representation of the petitioner dated 12.03.2022 and pass appropriate orders on merits and in accordance with law within a period of six weeks from the date of receipt of a copy of this order and communicate the same to the petitioner forthwith. No costs.

Sd/-

Assistant Registrar (CS-II)

//True Copy//

Sub Assistant Registrar

pvs

To

1.The Commissioner,
Greater Chennai Corporation,
Rippon Building, Chennai 600003.

2.The Chairperson,
Zonal Executive Engineer (Zone 9),
(The Town Vending Committee),
Greater Chennai Corporation,
No.4, 4th Cross Street, Lake View Road,
Nungambakkam, Chennai 600034.



3.The Chairperson/Zonal Executive Engineer of Zone X,
Greater Chennai Corporation,
Chennai.

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+1cc to Mr.K.Lavan, Advocate SR. No. 34018

W.P.No.4303 of 2022

JPL (CO)
PR (29/06/2022)