



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 31.03.2022

CORAM

THE HONOURABLE DR. JUSTICE ANITA SUMANTH

W.P. NOS.7601, 7606, 7613, 7616, 7619 & 7623 OF 2022 &
WMP.NOS.7607, 7615, 7623, 7625, 7628 & 7633 OF 2022

Devi

... Petitioner in WP.No.7601 of 2022

Premkumar

... Petitioner in WP No.7606 of 2022

A.Aadhilakshmi

... Petitioner in WP No.7613 of 2022

M. Velanganni

... Petitioner in WP No.7616 of 2022

M. Selvam

... Petitioner in WP No.7619 of 2022

P.Thenilavu

... Petitioner in WP No.7623 of 2022

Vs

The Chairperson/
Zonal Executive Engineer (Zone No.5),
(The Township Vending Committee),
Corporation of Chennai,
Basin Bridge Road,
Chennai 600 021.

... Respondent in all Writ Petitions

Prayer in WP.No.7601 of 2022:

Petition filed under Article 226 of the Constitution of India praying for the issuance of Writ of Mandamus, forbearing the respondent, their officials, agents, servants, subordinate or anybody authorized by them from interfering with the running



of the petitioner's bunk shop near New Maternity Hospital Gate, Pantheon Road, Egmore, Chennai 600 008, as per order dated 13.12.2021 passed in W.P.No.21772 of 2021.

Prayer in WP No.7606 of 2022:

Forbearing the respondent, their officials, agents, servants, subordinates or anybody authorized by them from interfering with the running of the Petitioners bunk shop near ICH, Children Hosital compound, Tamil Salai, Egmore, Chennai 600 008, as per order dated 13.12.2021 passed in W.P. No. 21772 of 2021

Prayer in WP No.7613 of 2022:

Forbearing the respondent, their officials, agents, servants, subordinates or anybody authorized by them from interfering with the running of the Petitioners bunk shop No. 60/33 near BSNL office, Ethiraj Salai, Chennai 08 as per order dated 13.12.2021 passed in W.P. No. 21772 of 2021

Prayer in WP No.7616 of 2022:

Forbearing the respondent, their officials, agents, servants, subordinates or anybody authorized by them from interfering with the running of the Petitioners bunk shop near 4th Gate, Rajarathinam stadium compound Rukmani Lakshmipathi Road Egmore Chennai 08 as per order dated 13.12.2021 passed in W.P. No. 21772 of 2021

Prayer in WP No.7619 of 2022:

Forbearing the respondent, their officials, agents, servants, subordinates or anybody authorized by them from interfering with the running of the Petitioners bunk shop at No. 104 / 53, Harris Road, Egmore Chennai 08 as per order dated 13.12.2021 passed in W.P. No. 21772 of 2021

Prayer in WP No.7623 of 2022:

Forbearing the respondent, their officials, agents, servants, subordinates or anybody authorized by them from interfering with the running of the Petitioners bunk shop at No. 88, Myor Ramanathan Road, Near Egmore Vattatciyar office, Chetpet, Chennai 31 as per order dated 13.12.2021 passed in W.P. No. 21772 of 2021

(In all WPs)

For Petitioner

: Mr.L.Chandrakumar



For Respondent : Ms.P.T.Ramadevi
In all WPs Standing Counsel

WEB COPY

COMMON ORDER

Ms.P.T.Ramadevi, learned Standing Counsel accepts notice for the respondent and is armed with instructions to enable final disposal of these writ petitions even at the stage of admission. Hence, by consent expressed by both learned counsel, and in fact, at their request, these writ petitions are disposed at this stage.

2. The details of the petitioners are given below:

Serial No.	Petitioner	Percentage and nature of disability	Address of the shop
1.	Devi (W.P.No.7601 of 2022)	80% Physical impairment/blindness	New Maternity Hospital Gate, Pantheon Road, Egmore, Chennai-08
2.	Premkumar (W.P.No.7606 of 2022)	Self employed	ICH, Children Hospital Compound, Tamil Salai, Egmore, Chennai-08
3.	Aadhilakshmi (W.P.No.7613 of 2022)	85% CD	No.60/33, Near BSNL Office, Ethiraj Salai, Chennai-08
4.	Velankanni (W.P.No.7616 of 2022)	80% LD Disability	4 th Gate, Rajarathinam Stadium Compound, Rukmani, Lakshmipathi Road, Egmore, Chennai-08
5.	Selvam (W.P.No.7619 of 2022)	90% LD Disability	No.104/53, Harris Road, Egmore, Chennai-08
6.	Thenilavu (W.P.No.7623 of 2022)	Self Employed	No.88, Mayor Ramanathan Road, Near Egmore Vattatciyar Office, Chetpet, Chennai-600031

3. The petitioners claim to be owning and running bunk shops at the aforesaid addresses and seek protection under the Street Vendors (Protection of Livelihood and Regulation of Street Vending) Act, 2014 in terms of which Town Vending Committees have been constituted by the State Government for assessment of a Zone of the District as either a vending or non-



vending zone. The committee has also been vested with the authority to regulate the business of street vendors in particular Zones.

WEB COPY

4. The petitioners also claim protection in terms of Section 3 of the Act which states that no street vendors shall be evicted or relocated till the assessment / survey of the particular zone has been completed and a certificate of vending is either granted or application in that regard, rejected. The petitioner in W.P.Nos.7601, 7613, 7616 & 7619 of 2022 claim additional protection in terms of Tamil Nadu Rights of Persons with Disabilities Rules, 2018.

5. Learned counsel would state that the petitioners have filed representations all dated 15.03.2022 seeking protection under the Act and seeking issuance of a certificate permitting them to carry on their business.

5. Moreover, the learned counsel for the respondent confirms receipt of the representations of the petitioners by the respondent. Thus, the respondent, who is the Chairperson, Zonal Executive Engineer, Zone No.5, is directed to consider the representations of the petitioners dated 15.03.2022, after affording opportunity of hearing to the petitioners and pass orders thereupon within a period of eight (8) weeks from today i.e. on or before 02.06.2022. Till such time or till disposal of representations, whichever is earlier, the petitioners shall not be disturbed.

6. These writ petitions are disposed as above. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-

Deputy Registrar

//True Copy//

Sub Assistant Registrar

vs/ska



To

The Chairperson/
Zonal Executive Engineer (Zone No.5),
(The Township Vending Committee),
Corporation of Chennai,
Basin Bridge Road,
Chennai 600 021.

+6ccs to Mr.R.Kamaraj, Advocate, S.R.No.22112, 22113, 22114,
22115, 22116, 22117

+6ccs to Ms.P.T.Ramadevi, Advocate, S.R.No.21579, 21580, 21581,
21582, 21583, 21584

W.P. Nos.7601, 7606, 7613,
7616, 7619 & 7623 of 2022 &
WMP.Nos.7607, 7615, 7623,
7625, 7628 & 7630 of 2022

NKJK (CO)
PM/18/04/2022