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W.P. No. 28191 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 20.10.2022

CORAM

THE HON'BLE MR. JUSTICE P.D. AUDIKESAVALU

W.P. No. 28191 of 2022

M.Ramani

... Petitioner

-VS-

1. The Commissioner,
Corporation of Chennai,
Rippon Buildings,
Chennai – 600 003.

2. The Chairperson/ Zonal Executive Engineer,
Zone. No.8 (The Town Vending Committee),
Corporation of Chennai,
Chennai District.

... Respondents

Prayer:- Writ Petition filed under Article 226 of the Constitution of India, 1950, praying to issue a Writ of Mandamus, directing the Respondents to consider and pass orders on the Petitioner's representation dated 14.09.2022, as per the provisions at the Street Vendors (Protection of livelihood Regulation) 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 at No. 38/131, 8th Main Road, Dwaraka Flats (Opp. K4 Police Station) Anna Nagar, Chennai – 600 040 wherein selling Tea, Coffee, Juice, Cool drinks and chat and Food Tiffen items by using LPG Gas stove.



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For Petitioner : Mr. K.Prabhakaran

For Respondents : Mrs. P.T.Ramadevi

ORDER

Heard Mr. K.Prabhakaran, Learned Counsel for the Petitioner, and Mrs. P.T.Ramadevi, Learned Counsel who takes notice for the Respondents and perused the materials placed on record, apart from the pleadings of the parties.

2. It is the case of the Petitioner that he has made a representation for permission under the under the Street Vendors (Protection of Livelihood and Regulation of Street Vending) Act, 2014 (hereinafter referred to as 'the Act' for short) to the Respondents for granting permission for selling tea, coffee and food items at No. 38/131, 8th Main Road, Dwaraka Flats (Opp. K4 Police Station) Anna Nagar, Chennai – 600 040, but no action has been taken thereon. In that backdrop, the Writ Petition has been filed to direct the Respondents to consider and pass orders on the said representation and not to disturb the shop till such time.



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3. Learned Counsel for the Respondents, on instructions, states that the location at which the Petitioner has sought permission is a non-vending zone in a busy road for which permission cannot be granted under the Act, and a memo dated 20.10.2022 has been filed to that effect, which is placed on record. In such circumstances, the question of considering the representation dated 14.09.2022 made by the Petitioner does not arise.

In fine, the Writ Petition is dismissed. No costs.

20.10.2022

skr

Index: Yes/No

Note: Issue order copy by 14.11.2022.

To

1. The Commissioner,
Corporation of Chennai,
Rippon Buildings,
Chennai – 600 003.
2. The Chairperson/ Zonal Executive Engineer,
Zone. No. 8 (The Town Vending Committee),
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P.D. AUDIKESAVALU, J.

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