



WEB COPY



W.P. No. 28393 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27.10.2022

CORAM

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

W.P. No. 28393 of 2022

Khaja Mohideen

... Petitioner

-VS-

1. The Commissioner,
Corporation of Chennai,
Rippon Building,
Chennai - 600 003.
2. The Chair Person/ Zonal Executive Engineer,
Zone No. 5,
(The Town Vending Committee),
Corporation of Chennai,
Chennai – 600 021.

... 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 representations dated 28.03.2022 and 01.04.2022 as per the provision 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 St. Peters Church Compound No. 11, West Madha Church Street, Royapuram, Chennai – 600 013 (Opp Appavo Tower) wherein selling tea, coffee, juice, chat and food items, by using LPG Gas Stove.



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For Petitioner : Mr. T.Muthukumar

For Respondents : Mrs. P.T.Ramadevi

ORDER

Heard Mr. T.Muthukumar, 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 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 running a bunk shop for selling Tea, Coffee and food items at St. Peters Church, Compound No. 11, West Madha Church Street, Royapuram, Chennai – 600013 (Opp Appavo Tower), but no action had 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 27.10.2022 has been filed to that effect, which is placed on record. In such circumstances, the question of considering the representations dated 28.03.2022 and 01.04.2022 made by the Petitioner does not arise.

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

27.10.2022

skr

Index: Yes/No

Note: Issue order copy by 11.11.2022.

To

1. The Commissioner,
Corporation of Chennai,
Rippon Building,
Chennai - 600 003.
2. The Chair Person/ Zonal Executive Engineer,
Zone No. 5,
(The Town Vending Committee),
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P.D. AUDIKESAVALU, J.

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