



WEB COPY



W.P. No. 29070 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 03.11.2022

CORAM

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

W.P. No. 29070 of 2022

and

W.M.P. No. 28353 of 2022

I.Lathika

... Petitioner

-VS-

1. The Secretary to Government
Local Administration Department
Government of Tamil Nadu
Fort St. George
Chennai – 600009.
2. The Commissioner
Corporation of Chennai
Ripon Buildings
Chennai – 600003.
3. The Zonal Officer
Zone-8, Corporation of Chennai
36-B, Pulla Avenue, Shenoy Nagar
Chennai – 600030.

... Respondents

Prayer:- Writ Petition filed under Article 226 of the Constitution of India, 1950, praying to issue a Writ of Mandamus, direct the Third Respondent to issue licence to run a bunk shop at New Boopathi Nagar Main Road, Near Railway Station Bridge, Chetpet, Chennai – 600010 as per the provisions of the Street Vendors (Protection of Livelihood Regulation) Act based on the petitioner's representation dated 15.09.2022.



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For Petitioner : Mr. B.Murugesan
For Respondents : Mrs. N.Senthil Selvi
Government Advocate (For R1)
Mrs. P.T.Ramadevi (For R2 & R3)

ORDER

Heard Mr. B.Murugesan, Learned Counsel for the Petitioner, Mrs. N.Senthil Selvi, Learned Government Advocate appearing for the First Respondent and Mrs. P.T.Ramadevi, Learned Counsel for the Second and Third 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 dated 15.09.2022 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 New Boopathi Nagar Main Road, Near Railway Station Bridge, Chetpet, Chennai – 600010, but no action has been taken thereon. In that backdrop, the Writ Petition has been filed to direct the Third Respondent based on the said representation dated 15.09.2022 to issue licence to run a bunk shop at the said place as per the provisions of the Act.



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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' declared by the Respondent Corporation for which permission cannot be granted under the Act, and a memo dated 03.11.2022 has been filed to that effect, which is placed on record. In such circumstances, the question of considering the representation dated 15.09.2022 made by the Petitioner does not arise.

In fine, the Writ Petition is dismissed. Consequently, the connected Miscellaneous Petition is closed. No costs.

03.11.2022

Maya

Index: Yes/No

Note: Issue order copy by 25.11.2022.

To

1. The Secretary to Government
Local Administration Department
Government of Tamil Nadu
Fort St. George
Chennai – 600009.



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P.D. AUDIKESAVALU, J.

Maya

2. The Commissioner
Corporation of Chennai
Ripon Buildings
Chennai – 600003.
3. The Zonal Officer
Zone-8, Corporation of Chennai
36-B, Pulla Avenue, Shenoy Nagar
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