



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 19.04.2022

CORAM

THE HONOURABLE MR.JUSTICE T.RAJA
and
THE HONOURABLE MR.JUSTICE S.SOUNTHAR

W.P.No.31004 of 2019 and W.M.P. No.31104 of 2019

Ambathur Estate Salaiyora
Sirukadai Vyaparigal Sangam,
(Ambathur Estate Roadside
Petty Shop Trader's Association),
rep. by its Secretary,
No.43, Coramandal Town,
SIDCO Menambedu Road,
Pattaravakkam Railway Station,
Chennai 600 098.

... Petitioner

vs

1.The Zonal Executive Engineer/Chairman,
Township Vending Committee,
Zone VII,
Corporation of Chennai,
Chennai 600 057.

2.The Administrative Director,
SIDCO,
Ambathur Industrial Estate,
Chennai 600 058.

3.Chennai Auto Ancillary Industrial
Infrastructure Upgradation Company,
represented by its Chairman
G.Krishnamoorthy
SIDCO Ambattur Industrial Estate,
Ambattur, Chennai - 600 058.

... Respondents

(R3 impleaded as per Court order dated
04.12.2019 in W.M.P. No.34272 of 2019)

Prayer: Petition filed under Article 226 of the Constitution of India to issue a writ of Mandamus forbearing the respondents their officials, men, agents or anybody claiming through or under them from in any manner interfering with the street vending/mobile vending business of the members of the petitioner association in the roadside margin of Ambattur Industrial Estate, SIDCO, Chennai 600 058, by using LPG Gas Stove except by following the procedures and regulations of



22 of the above Act, the Town Vending Committee has to be constituted by the Government in each local authority for each zone or ward in each local authority and as per Section 3 of the Act, survey of street vendors has to be conducted and subsequent survey shall be carried out atleast once in every five years. While so, the officials from the second respondent are taking hasty steps to evict the members from the places of Ambathur Industrial area. Therefore, the petitioner is before this Court seeking the above prayer.

3.Learned counsel for the second respondent, placing on record a Circular dated 07.11.2019, urged this Court to dismiss this writ petition as the Ambathur Industrial Estate Zone has been declared as non-vending zone by Circular dated 07.11.2019, issued by the Branch Manager, SIDCO Ambattur. Therefore, without questioning the correctness of the same, this writ petition is not legally maintainable.

4.We also fully agree with the submission made by the learned counsel for the second respondent. A perusal of the Circular dated 07.11.2019 issued by the Branch Manager, SIDCO Ambattur shows that the Ambathur Industrial Estate Zone has been declared as non-vending zone. Therefore, this writ petition is liable to be dismissed in the light of the above Circular. Accordingly, this writ petition stands dismissed. Consequently, W.M.P. No.31104 of 2019 stands closed. No costs.

Sd/-

Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

vga
To

1.The Zonal Executive Engineer/Chairman,
Township Vending Committee,
Zone VII,
Corporation of Chennai,
Chennai 600 057.

2.The Administrative Director,
SIDCO,
Ambathur Industrial Estate,
Chennai 600 058.

+1 cc to Mr.Thomas T.Jacob, Advocate Sr.NO.26333
+1 cc to Mrs.Karthika Ashok, Advocate Sr.NO.26555
+1 cc to Mr.J.Jaseem Mohamed, Advocate Sr.NO.26531
+1 cc to Mr.R.Kamaraj, Advocate Sr.NO. 26438

W.P.No.31004 of 2019 and W.M.P. No.31104 of 2019

SMI (CO)

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A.SK(23/05/2022)