



W.P(MD)No.19450 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 24.08.2022

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.19450 of 2022

and

W.M.P.(MD)Nos.14191 & 14192 of 2022

1.M.Ranjith Kumar

2.S.Ambedkar

3.A.Anthony

4.A.Thottichi

5.V.Valarmathi

6.S.Chinnadurai

7.K.Musthafa

8.M.Syed Oli

9.Y.Abbas

10.A.Jainul Abudeen

11.A.Abdul Rahman

12.M.Abdul Rahman

... Petitioners

Vs.

1.The Commissioner,
O/o. Madurai Corporation,



W.P(MD)No.19450 of 2022

Annamaligai,
Alagar Kovil Main Road,
Madurai.

2.The Town Vending Committee,
Rep. by the Chairman,
Annamaligai,
Alagar Kovil Main Road,
Madurai.

3.The Assistant Commissioner of Police,
O/o. Assistant Commissioner,
Anna Nagar Police Station,
KK Nagar,
Madurai.

4.The Inspector of Police,
O/o. Inspector of Police,
Mattuthavani E5 Police Station,
KK Nagar,
Madurai.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, to direct the Respondent Nos. 1 and 2 to permit the petitioners to restore their small push cart stalls outside the cycle stand of the Madurai Mattuthavani MGR Bus Stand to eke their livelihood.

For Petitioner : Mr.T.Lajapathi Roy

For R1 : Mr.S.Vinayak

For R3 & R4 : Mr.N.Ramesh Arumugam
Government Advocate



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ORDER

Heard the learned counsel appearing for the petitioner and the learned standing counsel appearing for the respondent Corporation and the learned Government Advocate appearing for R3 & R4.

2. The petitioners are street vendors. They had already been evicted from their usual vending spot. They virtually seek the relief of restoration.

3. As rightly pointed out by the learned standing counsel for the Corporation, such a relief cannot be granted in view of the proceedings of the Town Vending Committee taken on 27.07.2019. In the said proceedings, it is mentioned that an alternative site has been identified.

4. The petitioner's representation shall be considered in the light of the report of the said committee vide Na.Ka.No.H6/MaSe1/13345/19, dated 27.07.2019. The endeavour of the Corporation must be to identify an alternative site for the petitioners from where they can carry on their vending activities. This exercise shall be completed within a period of eight weeks from the date of receipt of a copy of this order.

5. The Writ Petition is disposed of accordingly. No costs. Consequently, connected miscellaneous petitions are closed.

24.08.2022

Index : Yes / No
Internet : Yes/ No
rmi



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G.R.SWAMINATHAN, J.

rmi

To

- 1.The Assistant Commissioner of Police,
O/o. Assistant Commissioner,
Anna Nagar Police Station,
KK Nagar,
Madurai.
- 2.The Inspector of Police,
O/o. Inspector of Police,
Mattuthavani E5 Police Station,
KK Nagar,
Madurai.

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