



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 10.03.2022

CORAM:

THE HONOURABLE MR.JUSTICE ABDUL QUDDHOSE

W.P.[MD]No.19616 of 2018

Nellai Town Vadakku Ratha Veethi Anaithu Vyabarigal Sangam,
(Registration No.84/2017),
Rep. by its Secretary,
M.Ramesh Chandran,
No.20, 1st Floor,
Vadakku Mount Road (Nainarkulam Road),
Tirunelveli Town,
Tirunelveli District - 627 006.

... Petitioner

Vs.

1.The District Collector,
Tirunelveli District,
Tirunelveli.

2.Tirunelveli Municipal Corporation (TMC),
Corporation Office,
Tirunelveli,
Tirunelveli District.

3.The Commissioner of Police,
Tirunelveli City,
Tirunelveli.

4.Town Vending Committee,
Formed by Tirunelveli Municipal Corporation (TMC),
in respect of "North Car Street",
Tirunelveli Town,
Tirunelveli.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the respondents 1, 2 and 4 to forthwith remove the Un-licensed Street Vendors from all four car streets around Sri Arulmighu Nellaiyappar Swamy Temple, Tirunelveli Town with the aid of the third respondent and further direct the fourth respondent to place "Non-Vendors Region" Board in North Car Street, Tirunelveli Town, within the stipulated time, on the basis of the petitioner's association representation dated 31.07.2018.

For Petitioner

: Mr.P.M.Vishnuvarthanan

For Respondent No.1

: Mr.M.Lingadurai

Special Government Pleader

For Respondents 2 to 4

: Mr.Aayiram K.Selvakumar

Standing Counsel



O R D E R

This writ petition has been filed for a Mandamus seeking for a direction to the respondents 1, 2 and 4 to forthwith remove the Un-licensed Street Vendors from all four car streets around Sri Arulmighu Nellaiyappar Swamy Temple, Tirunelveli Town with the aid of the third respondent and for a further direction to the fourth respondent to place "Non-Vendors Region" Board in North Car Street, Tirunelveli Town, on the basis of the petitioner's association representation dated 31.07.2018 within a time frame to be fixed by this Court.

2.Heard Mr.P.M.Vishnuvarthanan, learned Counsel for the writ petitioner, Mr.M.Lingadurai, learned Special Government Pleader who accepts notice on behalf of the first respondent and Mr.Aayiram K.Selvakumar, learned Standing Counsel who accepts notice on behalf of the respondents 2 to 4.

3.Learned Standing Counsel has placed before this Court a letter dated 05.05.2021 sent by the Assistant Commissioner, Tirunelveli Corporation to the Chief Health Officer, Tirunelveli Corporation, stating that the licensed street vendors will be granted license in the alternate accommodation that the respondents had agreed to provide. On instructions, learned Standing Counsel would further submit that the alternate accommodation for the licensed street vendors will be provided within a period of four [4] months from today. The said undertaking is recorded.

4.Learned Counsel for the petitioner is satisfied with the same, provided that the undertaking given by the Standing Counsel for the respondents on instructions is complied with in letter and spirit.

5.After recording the submissions made by the respective Counsels, this Writ Petition is disposed of by directing the respondents to provide alternate accommodation to the licensed street vendors within a period of four [4] months from today and thereafter remove the licensed street vendors from all the four car streets around Sri Arulmighu Nellaiyappar Swamy Temple, Tirunelveli Town. Once the licensed street vendors are removed from the existing place, the respondents are directed to keep the "Hawker Free Zone" board in the said area, immediately thereafter. There shall be no order as to costs.

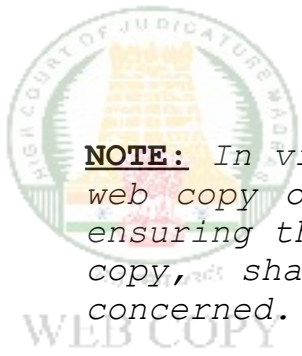
Sd/-

Assistant Registrar (T & P)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)



NOTE: In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

To

- 1.The District Collector,
Tirunelveli District,
Tirunelveli.
- 2.Tirunelveli Municipal Corporation (TMC),
Corporation Office,
Tirunelveli,
Tirunelveli District.
- 3.The Commissioner of Police,
Tirunelveli City,
Tirunelveli.
- 4.Town Vending Committee,
Formed by Tirunelveli Municipal Corporation (TMC),
in respect of "North Car Street",
Tirunelveli Town,
Tirunelveli.

ORDER MADE IN
W.P.[MD]No.19616 of 2018
10.03.2022

RS (21.03.2022) 3P-5C