



W.P.Nos.1096, 1103 and 1106 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12.01.2023

CORAM:

THE HONOURABLE MS.JUSTICE V.M.VELUMANI
and
THE HONOURABLE MRS.JUSTICE R.HEMALATHA

W.P.Nos.1096, 1103 and 1106 of 2023
and
W.M.P.Nos.1086, 1095, 1097 and 1100 of 2023

W.P.No.1096 of 2023:

G.Mohammed Faried

.. Petitioner

Vs.

- 1.The Commissioner
Greater Chennai Corporation
Ripon Building
Chennai 600 003.
- 2.The Chairperson / Executive Engineer
Township Vending Committee
Zone XIII,
Corporation of Chennai
Chennai 600 020.

.. Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Mandamus, forbearing the Respondents from interfering with the running of the petitioner's food truck "Hot Wagon" near Anna School compound, 4th main road, Thiruvallur Nagar, Besant Nagar, Chennai 600 009, wherein selling snacks, tiffin and other food items using LPG gas stove therein till the



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Petitioner-s representation dated 27.12.2022 is considered and decided as per the provisions of the Street Vendors (Protection of Livelihood Regulation) Act, 2014 by the Respondents.

For Petitioner : M/s.A.G.Shakeenaa

For Respondents : Mr.D.B.R.Prabhu
Standing Counsel

W.P.No.1103 of 2023:

1.Goutham Sharan

2.Balaji.H

3.Abdul Rahman Sadiq.P

.. Petitioners

Vs.

1.The Commissioner

Greater Chennai Corporation

Ripon Building

Chennai 600 003.

2.The Chairperson / Executive Engineer

Township Vending Committee

Zone XIII,

Corporation of Chennai

Chennai 600 020.

.. Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Mandamus, forbearing the Respondents from interfering with the running of the petitioner's food truck “Mr. MoNo” near Anna School compound, 4th main road, Thiruvallur Nagar, Besant Nagar, Chennai 600 009, wherein selling snacks, tiffin and other food items using LPG gas stove therein till the Petitioner-s representation dated 27.12.2022 is considered and decided as per the provisions of the Street Vendors (Protection of Livelihood Regulation) Act, 2014 by the Respondents.



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For Petitioners : M/s.A.G.Shakeenaa

For Respondents : Mr.D.B.R.Prabhu
Standing Counsel

W.P.No.1106 of 2023:

T.A.Mohammed Maahin Ibrahim

.. Petitioner

Vs.

1.The Commissioner
Greater Chennai Corporation
Ripon Building
Chennai 600 003.

2.The Chairperson / Executive Engineer
Township Vending Committee
Zone XIII,
Corporation of Chennai
Chennai 600 020.

.. Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Mandamus, forbearing the Respondents from interfering with the running of the petitioner's food truck "Lasso Kitchen" near Anna School compound, 4th main road, Thiruvallur Nagar, Besant Nagar, Chennai 600 009, wherein selling snacks, tiffin and other food items using LPG gas stove therein till the Petitioner-s representation dated 27.12.2022 is considered and decided as per the provisions of the Street Vendors (Protection of Livelihood Regulation) Act, 2014 by the Respondents.

For Petitioner : M/s.A.G.Shakeenaa

For Respondents : Mr.D.B.R.Prabhu
Standing Counsel

COMMON ORDER

(Order of the Court was delivered by V.M.VELUMANI, J.)



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Writ Petition in W.P.No.1096 of 2023 is filed for forbearing the respondents from interfering with the running of the petitioner's food truck “Hot Wagon” near Anna School compound, 4th main road, Thiruvallur Nagar, Besant Nagar, Chennai 600 009, wherein selling snacks, tiffin and other food items using LPG gas stove therein till the Petitioner's representation dated 27.12.2022 is considered and decided as per the provisions of the Street Vendors (Protection of Livelihood Regulation) Act, 2014 by the Respondents.

2. Writ Petition in W.P.No.1103 of 2023 is filed for forbearing the Respondents from interfering with the running of the petitioner's food truck “Mr. MoNo” near Anna School compound, 4th main road, Thiruvallur Nagar, Besant Nagar, Chennai 600 009, wherein selling snacks, tiffin and other food items using LPG gas stove therein till the Petitioner-s representation dated 27.12.2022 is considered and decided as per the provisions of the Street Vendors (Protection of Livelihood Regulation) Act, 2014 by the Respondents.

3. Writ Petition in W.P.No.1106 of 2023 is filed for forbearing the



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Respondents from interfering with the running of the petitioner's food truck "Lasso Kitchen" near Anna School compound, 4th main road, Thiruvallur Nagar, Besant Nagar, Chennai 600 009, wherein selling snacks, tiffin and other food items using LPG gas stove therein till the Petitioner-s representation dated 27.12.2022 is considered and decided as per the provisions of the Street Vendors (Protection of Livelihood Regulation) Act, 2014 by the Respondents.

4. By consent of both the learned counsel appearing for the petitioners as well as Mr.D.B.R.Prabhu, learned Standing Counsel, who takes notice for the respondents, these writ petitions are taken up for final disposal at the stage of admission itself.

5. Heard the learned counsel appearing for the petitioners as well as Mr.D.B.R.Prabhu, learned Standing Counsel appearing for the respondents and perused the entire materials on record.

6. The learned counsel appearing for the petitioners submitted that the petitioners are street vendors in the locality mentioned in their affidavits filed in support of the respective writ petitions. The Parliament



has enacted “The Street Vendors (Protection of Livelihood Regulation) Act, 2014” protecting the interests of all street vendors by regulating their business. Pursuant to the said Act, the State Government formed a 'Town Vending Committee' and conducted survey with regard to enumeration process of collecting details of names of vendors, nature of vending, area/place of vending and taking photographs etc., and issue Street Vending ID Card and Certificate of Vending. According to the learned counsel appearing for the petitioners, the officials of the respondents/Corporation came to the place of business and threatened the petitioners. In such circumstances, the petitioners have sent a representation dated 27.12.2022 to the respondents for issuance of ID Card and Certificate of Vending. Since the respondents have not taken any action, the petitioners have come out with the present writ petitions.

7. The learned Standing Counsel appearing for the respondents submitted that the Town Vending Committee formed by the State Government was set aside by the First Bench of this Court by order dated 27.04.2022 made in W.P.No.6799 of 2022. Now, the respondents are taking steps to form a new committee. He further submitted that on formation of new committee, the petitioners' representation dated



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27.12.2022 will be considered on merits.

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8. Considering the above submissions of the learned counsel appearing for the petitioners as well as learned Standing Counsel appearing for the respondents, the respondents are directed to consider the representation of the petitioners' dated 27.12.2022 on formation of the new committee. Till such time, the respondents are restrained from taking any coercive steps against the petitioners.

9. With the above directions, the Writ Petitions are disposed of. No costs. Consequently, the connected miscellaneous petitions are closed.

(V.M.V., J) (R.H., J)
12.01.2023

Index : Yes / No
Neutral Citation : Yes / No
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V.M.VELUMANI, J.
and
R.HEMALATHA, J.

dm

To

- 1.The Commissioner
Greater Chennai Corporation
Ripon Building
Chennai 600 003.
- 2.The Chairperson / Executive Engineer
Township Vending Committee
Zone XIII,
Corporation of Chennai
Chennai 600 020.

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