



WEB COPY



W.P.No.5060 of 2020

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 14.06.2023

CORAM

**THE HONOURABLE MR.JUSTICE D.KRISHNAKUMAR
AND
THE HONOURABLE MR.JUSTICE P. DHANABAL**

**W.P.No.5060 of 2020
and WMP.No.6373 of 2020**

VS.Kalyani

..Petitioner

Vs

1. The Government of Tamil Nadu,
Rep by the Secretary, Local Administration Dept.,
Secretariat, Fort St.George,
Chennai-600009.

2. The Commissioner,
Corporation of Chennai
Ripon Building, Park Town,
Chennai-600003.

3.The Chairman/Asst. Commissioner,
Town Vending Committee
Zone -IX, Corporation of Chennai
Nungambakkam, Chennai-600034.

..Respondents

Prayer: Writ Petitions are filed under Article 226 of Constitution of India to
issue a writ or order or direction in the nature of writ directing the 2nd



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respondent and his officials, servants from in any manner interfering with the running of petitioner's bunk shop at M.G.R.Salai Platform, near Malavika Complex, opposite to Razack Garden, Nungambakkam, Chennai-34, pending consideration of petitioner representation dated 21.01.2020 by the 3rd respondent Town Vending Committee.

For Petitioner : Mr. S.Pushpakaran

For Respondents : Mr E.Vijay Anand, AGP – R1
Mrs. P.T. Ramadevi, Standing Counsel
– R2 & R3

ORDER

(Order of the Court was made by D.KRISHNAKUMAR, J.)

The learned counsel for the petitioner has submitted that the petitioner is running a mobile bunk shop for several years at M.G.R.Salai Platform, near Malavika Complex, opposite to Razack Garden, Nungambakkam, Chennai-34, selling tea, biscuit and other eatables to customers in a hygienic manner. The petitioner has eariler filed a writ petition seeking directions to the respondent to consider his represeatnion dated 08.11.2019 submitted for issuance of license to bunk shop. The said writ petition was withdrawn on 20.01.2020 with liberty to file fresh writ



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petition after giving representation to the 3rd respondent /Town Vending Committee.

2. The learned counsel for the petitioner has further submitted that the petitioner has again made representation dated 21.02.2020 to the 2nd & 3rd respondents for issuance of license to his bunk shop. Since no action has been taken by the respondent, the present writ petition is filed.

3. The learned Additional Government Pleader on instructions, has submitted that the 2nd respondent will consider the said request of the petitioner and pass appropriate orders, within a time frame as fixed by this Court.

4. Having regard to the submissions made by the learned counsels on either side and considering the fact that no interim order are passed in the writ petition, this Court, without expressing any opinion and without going into merits of the case, is inclined to pass the following order;



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(i). The petitioner shall make a fresh representation to the Commissioner, Corporation of Chennai/2nd respondent along with a copy of this order, within a period of four weeks from the date of receipt of a copy of this order.

(ii). The 2nd respondent shall consider the same and forward to the newly constituted Vending Committee for passing appropriate orders, within a period of twelve weeks thereafter.

5. With the above directions, the writ petition stands disposed of. No costs. Consequently, connected Miscellaneous Petition is closed.

(D.K.K., J.) (P.D.B., J.)

14.06.2023

Index: Yes / No

Internet: Yes

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