



WEB COPY



W.P.No.12391 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 25.04.2023

CORAM

THE HONOURABLE Ms. JUSTICE V.M.VELUMANI

AND

THE HONOURABLE Mr. JUSTICE V.LAKSHMINARAYANAN

W.P.No.12391 of 2023

Reena Mary Thomas

.. 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

Petition filed under Article 226 of the Constitution of India praying to issue a writ of mandamus directing the respondents to form a town vending committee within the stipulated time period.

For Petitioner	:	Mr.Rahul Jagannathan
For Respondents	:	Ms.P.T.Ramadevi Standing Counsel



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ORDER

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

The present writ petition is filed for a direction to the respondents to form a Town Vending Committee, in a stipulated time framed by this Court.

2. By consent of both the learned counsel appearing for the petitioner as well as Ms.P.T.Ramadevi, learned Standing Counsel, who takes notice for the respondents, the Writ Petition is taken up for final disposal at the stage of admission itself.

3. The petitioner is a resident of 4th Main Road, Besant Nagar, Chennai for the past 30 years. The grievance of the petitioner is that many food trucks were set up in the 4th Main Road, which attracts huge crowd, affects traffic and also cause hardship to the residents of the 4th Main Road. Hence, the petitioner sent a representation to the respondents and has come out with the present writ petition.

4. Learned counsel appearing for the petitioner submitted that the petitioners in W.P.Nos.1096, 1103 and 1106 of 2023, who were running food



trucks in the name and style of 'Hot Wagon', 'Mr.Mo No' and 'Lasso Kitchen', in violation of the rules in the said 4th Main Road, approached this Court with unclean hands and obtained orders of protection from this Court by common order dated 12.01.2023. While so, the petitioner sent a representation dated 15.03.2023 to the 1st respondent to form a Town Vending Committee and to declare the 4th Main Road as 'No Vending Zone' and has come out with the present writ petition for a direction to the respondents to form a Town Vending Committee.

5. Ms.P.T.Ramadevi, 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 passed in W.P.No.6799 of 2022. The respondents have taken steps and sent the same to the Government and as soon as the orders are received from the State Government, the respondents will form a Town Vending Committee. Learned Standing Counsel further submitted that on formation of the new Town Vending Committee, the representation of the street vendors and the representation of the petitioner as well as applications of the street vendors will be considered and orders will be passed on merits and prayed for passing suitable orders.



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6. Heard the learned counsel appearing for the petitioner as well as the learned Standing Counsel appearing for the respondents and perused the entire materials on record.

7. From the above materials, it is seen that the State Government had already formed a Town Vending committee and the First Bench of this Court, by order dated 27.04.2022 made in W.P.No.6799 of 2022, set aside the said Committee and directed the respondents to form a new Committee. Even after passage of almost a year, the Town Vending Committee is yet to be formed. Earlier, this Court, by common order dated 12.01.2023 made in W.P.Nos.1096, 1103 and 1106 of 2023, directed the respondents to consider the representation of the petitioners therein on formation of a new Committee and granted protection to the petitioners therein, restraining the respondents from taking any coercive steps against them.

8. In view of the above facts and order passed by the First Bench of this Court dated 27.04.2022 in W.P.No.6799 of 2022, the respondents are directed to form a Town Vending Committee within a period of three months from the date of



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receipt of a copy of this order and consider all the applications of the street vendors as well as the representation of the petitioner, so that the grievance of the residents of the 4th Main Road will be redressed.

9. With the above directions, this writ petition is allowed. No costs.

(V.M.V.,J.) (V.L.N.,J.)
25.04.2023

Index : Yes/No
Neutral citation : Yes/No
gya

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