



W.P.No.20566 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 01.09.2023

CORAM

THE HONOURABLE Mrs. JUSTICE J.NISHA BANU
AND
THE HONOURABLE Mr.V.LAKSHMINARAYANAN

W.P.No.20566 of 2023
and
W.M.P.No.19994 of 2023

R.Nagavalli

..Petitioner

Vs

1. The Additional Chief Secretary,
Municipal Administration,
Government of Tamil Nadu,
Chennai -9.
2. The Commissioner,
Greater Chennai Municipal Corporation,
Ripon Building,
Chennai - 600 003.
3. The Zonal Officer,
New Zone X, Chennai Corporation,
Kodambakkam,
Chennai - 600 0024.
4. The Commissioner of Police,
Greater Chennai Police,
Vepery,
Chennai - 600 007.



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6. The Inspector of Police, (Traffic),
R-4, Pondy Bazar Police Station,
Chennai - 600 017.

...Respondents

Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus to direct the 2nd and 3rd respondents to allot alternative place/shop in the locality to do street vending business and forbear the respondents, their officers, subordinates, or any other person acting under them from any manner interfering the fundamental rights of the petitioner by considering the petitioner's representation dated 21.03.2023

For Petitioner : Mr.R.Dharmaraj

For Respondents : Mr.r.Vigneshwaran,
Govt. Advocate or R1
Mr.D.B.R.Prabu,
Standing Counsel for R2 & R3
Mr.L.Baskar,
Government Advocate for R4 to R6

ORDER

(The order of the Court was made by V.LAKSHMINARAYANAN,J)

The petitioner seeks for a direction to the respondents 2 and 3 to allot an alternative place in the locality to do street vending business and to forbear them from interfering with her business by considering her



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representation dated 21.03.2023.

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2. By consent of both parties, the writ petition itself is taken up for disposal.

3. Originally, the State of Tamilnadu had formed a Street Vending Committee which was set aside, by this Court. Subsequently, the Street Vending Committee had to be reconstituted.

4. Mr.D.B.R.Prabu would state that the Street Vending Committee so formed by the State Government and it is yet to identify the vending zone.

5. The petitioner is carrying on business and this is not in dispute. Whether this area falls under the vending zone or not is a call that has to be taken by the Vending Committee. Now that, the Vending Committee has been formed and the area is yet to be declared and since the petitioner is carrying on business, interest of justice would be served if the petitioner is permitted to carry on the business in the said area till the exercise of identification of the area is completed by the Vending Committee. It is made clear that if the Vending Committee comes to the conclusion that this is not a vending zone, the petitioner will not have any right to continue in the area to do business. It is also made clear that if the Vending Committee identifies the vending zone, the petitioner will be considered for



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allotment in such zone. The writ Petition is disposed of accordingly. No costs. Consequently, connected miscellaneous petition is closed.

(J.N.B.,J.) (V.L.N,J.)
01.09.2023

Index:Yes/No
Speaking/Non-speaking order
vsi

To

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