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W.P.No.21695 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.07.2023

CORAM

THE HONOURABLE MR. JUSTICE S.SOUNTHAR

W.P No.21695 of 2023

S.Anand

...Petitioner

Vs.

The Corporation Commissioner
Chennai Corporation
Ribbon Building
Chennai 600 003.

...Respondent

Prayer: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the respondent to consider the petitioner's representation dated 26.06.2023 and to allot bunk shop to the petitioner in any suitable place.

For Petitioner : Mr.K.Thenrajan

For Respondent : Mr.A.S.Ragul Adhithya
for Mrs.P.T.Ramadevi
Standing Counsel (GCC)



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ORDER

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The petitioner herein seeks a direction to the respondent to consider his representation dated 26.06.2023 seeking permission to run a bunk shop opposite to the TVH Penninsula Towers, Janagi Avenue, Chaitanya Apartments.

2. It is the case of the petitioner that he is physically challenged person. He is running a small bunk shop for selling Tea, Coffee and other snacks items in the above said locality and earning his livelihood. It is also stated by the petitioner that the bunk shop was removed by the respondent's corporation officials on 28.10.2022. Therefore, the petitioner submitted the present representation dated 24.06.2023 seeking permission of the respondent to run the bunk shop in the above said locality.

3. Mrs.P.T.Ramadevi, learned Standing Counsel who takes notice for the respondent, on instructions, submitted that the above said area is classified as Non Vending Zone by the Town Committee constituted under Street Vendors Act, 2014. The learned Standing Counsel further submitted that the similar representation made by the petitioner earlier was rejected by the



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corporation on the ground that the above said place is classified as Non Vending Zone. The said order was challenged by the petitioner in W.P.No.2919 of 2021 and the same was dismissed by the Hon'ble Division Bench of this Court dated 11.02.2021. The learned Standing Counsel also produced the copy of the order passed by the Hon'ble Division Bench in the Writ Petition.

4. In view of the fact that the request of the petitioner was already rejected by the respondent's corporation on the ground that the place was classified as Non Vending Zone by the Competent Authority and also the fact that earlier rejection order passed by the respondent was confirmed by this Court in W.P.No.2919 of 2021, the petitioner is not entitled to maintain the petition seeking direction to the respondent to consider the petitioner's representation.

5. Accordingly, this Writ Petition is dismissed. No costs.

21.07.2023

Index : Yes/No
Internet : Yes/No
Speaking Order/Non-Speaking Order
Neutral Citation Case : Yes/No
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S.SOUNTHAR, J.

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To

The Corporation Commissioner
Chennai Corporation
Ribbon Building
Chennai 600 003.

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