



WEB COPY



W.P.No.22130 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27.07.2023

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THE HONOURABLE MR. JUSTICE S.SOUNTHAR

W.P No.22130 of 2023

and

WMP.No.21533 of 2023

Ambattur Estate Salaiyora Sirukadai Vyaparigal Sangam
(Ambattur Estate Roadside Petty Shop Trader's Association)
Rep.by its Secretary
No.43, Coramandal Town
SIDCO Menambedu Road
Pattaravakkam Railway Station
Chennai 600 098.

...Petitioner

Vs.

1.The Secretary to Government
Micro, Small and Medium Enterprises Department
Government of Tamil Nadu
Secretariat
Chennai 600 009.

2.The Managing Director
SIDCO
Guindy
Chennai 600 032.

3.The Administrative Director
SIDCO
Ambattur Industrial Estate
Chennai 600 058.

...Respondents



W.P.No.22130 of 2023

WEB COPY

Prayer: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the respondents 2 & 3 to consider and pass orders on the petitioner's representation dated 31.03.2023 made for allotment of shops to the petitioner's Association in the Ambattur Industrial Estate, Ambattur on rental basis and till such time, forbearing them not to allot shops to the outsiders.

For Petitioner : Mr.L.Chandrakumar

For Respondents : Mrs.S.Anitha for R1
Special Government Pleader

: Ms.Sithara Sarangan for R2 & R3
Standing Counsel (SIDCO)

ORDER

The petitioner herein seeks a direction to the respondents 2 & 3 to consider the representation of the petitioner's association dated 31.03.2023 and allot shops in Ambattur Industrial Estate to the members of the petitioner's association on rental basis.



W.P.No.22130 of 2023

2. According to the petitioner, the members of the petitioner's association are small vendors engaged in Street Vending. Earlier the petitioner herein filed a Writ Petition seeking a Writ of Mandamus, forbearing the respondents from interfering with the petitioner's right to carryout vending business in Ambattur Industrial Estate area. The respondents appeared and informed the Court that the Ambattur Industrial Estate area is declared as Non-Vending Zone by producing a circular. Therefore, the Writ Petition was dismissed.

3. It is the case of the petitioner that thereafter, the respondents 2 & 3 decided to allot the shops in the Ambattur Industrial Estate to the existing street vendors, who are engaged in street vending in Ambattur Industrial Estate. It is also stated by the petitioner that the members of the petitioner's association are ready to pay licence charges as may be fixed by SIDCO.

4. It is also stated that the third respondent submitted a report to the second respondent in this regard. In the representation dated 31.03.2023 the petitioner seeks allotment of petty shops by the third respondent to the members of the petitioner's association.



W.P.No.22130 of 2023

WEB COPY

5. The main grievance of the petitioner is that the representation of the petitioner dated 31.03.2023 has not been considered by the second respondent even though a report was already sent by the third respondent.

6. In view of the limited prayer made by the petitioner, without expressing any opinion on the merits of the claim made by the petitioner, this Court is inclined to issue a direction to the second respondent to consider the representation of the petitioner dated 31.03.2023 and pass final orders on merits and in accordance with law, within a period of six weeks from the date of receipt of a copy of this order.

7. With the above direction, this Writ Petition is disposed of. No costs. Consequently, connected Miscellaneous Petition is closed.

27.07.2023

Index : Yes/No
Internet : Yes/No
Speaking Order/Non-Speaking Order
Neutral Citation Case : Yes/No
dna

Note: Issue order copy on 31.07.2023



W.P.No.22130 of 2023

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To

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S.SOUNTHAR, J.
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