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W.P.No.23607 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :10.08.2023

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THE HONOURABLE MR. JUSTICE S.SOUNTHAR

W.P No.23607 of 2023

Mathan Kumar

...Petitioner

Vs.

1.The Commissioner
Corporation of Chennai
Ripon Buildings
Chennai-600 003.

2.The Zonal Executive Engineer(Zone No.6)
Corporation of Chennai,
Strahans Road,
Pattalam,
Chennai-600 012.

..Respondents.

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of mandamus forbearing the respondent from interfering with the running of the petitioner's bunk shop near ESI Staff Quarters, near the Hospital entrance, Jamaliam (Cooks Road), Perambur, Chennai-600 012, wherein selling tea, coffee, snacks, tiffen and other food and fruit items therein till the Town Vending Committee is formed and decided the grant of issuance of the Certificate of Vending as per the provision of the Street Vendors



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W.P.No.23607 of 2020

(Protection of Livelihood Regulation) Act, 2014.

For Petitioner

:Mr.R.Kamaraj

For Respondents

: Mr.A.S.Ragul Adhithya
for Mrs.P.T.Ramadevi
Standing Counsel for GCC

ORDER

The petitioner herein seeks issuance of a writ of mandamus forbearing the respondent from interfering with the running of the petitioner's bunk shop near ESI Staff Quarters, near the Hospital entrance, Jamaliam (Cooks Road), Perambur, Chennai-600 012,

2. It is the case of the petitioner that he is running a bunk shop in the above mentioned place selling tea, coffee and other snacks. The petitioner submitted a representation on 11.11.2020 under the provisions of the Street Vendors (Protection of Livelihood Regulation) Act, 2014 seeking permission of the respondents to run the bunk shop in the above mentioned place and the same has not been considered by the respondents. Therefore, the petitioner filed a writ petition in W.P.No.11285 of 2021 seeking direction to the



respondent to consider his representation and pass necessary orders granting trading licence. This Court disposed the above petition on 05.05.2021 by directing the respondents to consider the representation of the petitioner and decide the same on merits after giving opportunity to the petitioner.

3. Mr Mr.A.S.Ragul Adhithya for Mrs.P.T.Ramadevi, learned Standing Counsel for GCC taking notice for the respondents submits that the representation of the petitioner has to be considered by the Vending Committee under the relevant Act. Since there was a delay in constituting the Vending Committee, the representation of the petitioner was not considered as per the directions issued earlier. The learned counsel further submits that the vending committee has been constituted by the Government of Tamil Nadu on 07.08.2023. Therefore, the representation of the petitioner dated 11.11.2020 will be considered in due course.

4. In view of the submission made by the learned Standing Counsel for GCC, the petitioner's request for trading licence will be considered by the competent vending committee in due course, the writ petition is disposed with



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direction to the respondents not to disturb the petitioner's right to carry on vending in the above mentioned place till the consideration of his representation dated 11.11.2020 on merits as ordered by this Court earlier in W.P.No.11285 of 2021.

5. With these direction, this writ petition is disposed of. No costs.

10.08.2023
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Index : Yes/No
Internet : Yes/No
Speaking Order/Non-Speaking Order
Neutral Citation Case : Yes/No
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To

1.The Commissioner
Corporation of Chennai
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S.SOUNTHAR, J.
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