



WEB COPY



W.P.No.24719 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.09.2023

CORAM

THE HONOURABLE MR. JUSTICE S.SOUNTHAR

W.P No.24719 of 2023

P.Murugan

...Petitioner

Vs.

1.The Chairperson/Zonal Executive Engineer (Zone 13).
The Township Vending Committee,
Adayar, Chennai – 600 020.

2.The Commissioner,
Corporation of Chennai,
Ripon Building, Chennai – 600 003.

3.The Zonal Officer,
Adayar Zone, Corporation of Chennai,
Chennai – 600 020.

4.The Special Commissioner for Differently Abled,
O/o State Commissioner of Differently Abled,
J.N.Ring Road,
Chennai – 600 078.

...Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, to
issue a Writ of Certiorarified Mandamus, to call for the records pertaining to



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the proceedings of the third respondent vide

TN/MAWS/CHN/COLLMGDP/170CT22/4499408 and quash the same as illegal, incompetent and ultra vires and consequently direct the respondents to issue the license for vending to the petitioner within stipulated period fixed by this Court.

For Petitioner : Mr.S.Sivagurunathan

For Respondents : Mrs.P.T.Ramadevi
for R1 to R3
Standing Counsel (GCC)

Mr.N.Naveenkumar for R4
Government Advocate

ORDER

The writ petitioner has filed this Writ Petition challenging the order passed by the third respondent rejecting his request for running a bunk shop at Shesatripuram 1st Main Road, though the said area has not been declared by the Town Vending Committee as “No Vending Zone.” Hence, the impugned order passed by the third respondent is unsustainable under law.



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2. Mrs.P.T.Ramadevi, learned Standing Counsel takes notice for the respondents 1 to 3 and Mr.N.Naveen Kumar, learned Government Advocate takes notice for the fourth respondent.

3. The learned Standing Counsel appearing for the respondents 1 to 3 submitted that the petitioner submitted an application seeking permission for running a bunk shop before the third respondent, who is not the competent authority and hence, the same was rejected. If the petitioner submits a fresh application for running a bunk shop before the Competent Authority namely, the Town Vending Committee, the same will be considered in accordance with law, as per the provisions of the Street Vendors Act.

4. In view of the said submission made by the learned Standing Counsel appearing for the respondents 1 to 3, the petitioner is directed to submit a fresh application seeking permission for running a bunk shop before the Town Vending Committee of Chennai Corporation within a period of two weeks from the date of receipt of copy of this order. If any such application is submitted by the petitioner, the same shall be considered by the Town Vending



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Committee of Chennai Corporation within a period of six weeks from the date of such application. The Registry is directed to mark the copy of this order to the Town Vending Committee, Ribon Building, Chennai Corporation.

5. With the above direction, this Writ Petition is disposed of. No costs.

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



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S.SOUNTHAR, J.
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