



W.P.No.26542 of 2019

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 14.06.2023

CORAM :

THE HONOURABLE MR.JUSTICE D.KRISHNAKUMAR

and

THE HONOURABLE MR.JUSTICE P. DHANABAL

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B.Srikanth

... Petitioner

Vs.

1. The Commissioner,
Corporation of Chennai,
Ribbon Buildings, Chennai 600 003.

2. The Chairperson/Zonal Executive Engineer,
Zone No.13, (The Township Vending Committee),
Corporation of Chennai, Chennai 600 020.

3. The Administrative Director,
SIDCO Industrial Estate,
Guindy Industrial Estate,
Chennai 600 032.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, forbearing the respondents from interfering with the running of the petitioner's bunk shop at Olympia Tech Park backside, Poomagal Main Road, Corner of Gymco, Opposite to Deccan Chronicle,



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Guindy Industrial Estate, Chennai 600032, wherein selling tea, coffee, snacks and other food items, till the petitioner's representation dated 02.08.2019 is considered and decided as per the provisions of the Street Vendors (Protection of Livelihood Regulation) Act, 2014 by the respondents.

For Petitioner : Mr. L.Chandrakumar

For Respondents : Mr.E.C.Ramesh,
Standing Counsel for R1 & R2

ORDER

(Order of the Court was delivered by D.KRISHNAKUMAR, J.)

This Writ Petition has been filed to forbear the respondents from interfering with the running of the petitioner's bunk shop at Olympia Tech Park backside, Poomagal Main Road, Corner of Gymco, Opposite to Deccan Chronicle, Guindy Industrial Estate, Chennai 600032, till the petitioner's representation dated 02.08.2019 is considered and decided as per the provisions of the Street Vendors (Protection of Livelihood Regulation) Act, 2014 by the respondents.



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2. The petitioner is running a bunk shop in the above said address, wherein, he is selling Tea, Coffee, snacks and food items. As per the provisions of the Street Vendors (Protection of Livelihood Regulation) Act, 2014, the State Government has to form a Township Vending Committee and take steps to regulate street vending and till such time, the business of the street vendors shall not be interfered. However, the officials of the respondents 1 and 2 have been frequently threatening the petitioner to remove the bunk shop, though the petitioner is having Street vending I.D. card and “Certificate of vending”. Therefore, the petitioner made a representation on 02.08.2019 to the respondents 1 to 3, requesting to conduct enumeration process for issuing I.D card and grant permission of vending to continue his bunk shop business. But it was not considered. Hence the writ petition.

3. The learned Standing Counsel appearing for the respondents 1 and 2 submitted that, now, the Corporation has constituted a Vending Committee and the representation of the petitioner will be considered and appropriate orders will be passed by the Vending Committee.



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4. Inview of the above submission, we inclined to pass the following order.

i) The first respondent is directed to forward the representation of the petitioner along with the copy of this order to the second respondent Vending Committee, within two weeks from the date of receipt of a copy of this order.

iii) On receipt of such representation, the second respondent Vending Committee is directed to consider the same and pass orders on its own merits and in accordance with law, after providing opportunity to the petitioner, within twelve weeks from the date of receipt of the representation.

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

(D.K.K.J.)

(P.D.B.J.)

14.06.2023

Internet: Yes/No
Index : Yes/No
mst



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To
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