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W.P. No. 28383 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01.11.2023

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THE HON'BLE MR. JUSTICE P.D. AUDIKESAVALU

W.P. No. 28383 of 2023

S.Kalimuthu

... Petitioner

-VS-

1. The Commissioner
Corporation of Chennai
Ripon Buildings
Chennai – 600003.

2. The Zonal Officer (Zone No. 9),
Corporation of Chennai,
Nungambakkam,
Chennai – 600034.

... Respondents

Prayer:- Writ Petition filed under Article 226 of the Constitution of India, 1950, praying to issue a Writ of Mandamus, forbearing the Respondents from interfering with the running of the Petitioner's bunk shop at Old No. 29, New No. 65, Giri Road, T. Nagar, Chennai – 600017, wherein selling, tea, coffee, snacks and other food items therein, till the new Township Vending Committee is formed and decides the Petitioner's representation dated 16.08.2023 made for the grant of issuance of Certificate of Vending as per the provision of the Street Vendors (Protection of Livelihood Regulation) Act, 2014.

For Petitioner : Mr. R.Kamaraj

For Respondents : Mrs. P.T.Ramadevi



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ORDER

Heard Mr. R.Kamaraj, Learned Counsel for the Petitioner and Mrs. P.T.Ramadevi, Learned Counsel for the Respondents and perused the materials placed on record, apart from the pleadings of the parties.

2. The Petitioner, who claims to be self-employed, is running bunk shop at Old No. 29, New No. 65, Giri Road, T. Nagar, Chennai-600017, selling tea, coffee, snacks and other food items, had made a representation dated 16.08.2023 to the Respondents for conducting the enumeration process for issuing certificate of vending so as to enable him to run that bunk shop as per the provisions of the Street Vendors (Protection of Livelihood Regulation) Act, 2014 and till such time, not to disturb the running of the shop, but as it did not evoke any response, it has necessitated the filing of this Writ Petition.

3. Learned Counsel appearing for the Respondents, on instructions, states that the procedure for enumeration of street vendors is governed by the Tamil Nadu Street Vendors (Protection of Livelihood, Regulation of Street Vending and Licensing) Scheme, 2015 (hereinafter referred to as 'the Scheme' for short) and the town vending committee for the city of Chennai is now in place. In



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terms of that scheme, Learned Counsel for the Respondents has handed over the prescribed Form-III in terms of Rule 4(2) of the Scheme to Learned Counsel for the Petitioner in Court today, which is required to be filled up and submitted by the Petitioner with supporting documents to the concerned authority for further course of action in that regard. In such circumstances, nothing remains for further consideration in the Writ Petition, but if the Petitioner still has any grievance to be redressed in the matter, he is not precluded from working out his rights before the proper forum in the manner recognized by law.

In the result, the Writ Petition is disposed with the aforesaid observations.

No costs.

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Index: Yes/No

Note: Issue order copy by 31.05.2024.



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P.D. AUDIKESAVALU, J.

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To

1. The Commissioner
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Chennai – 600003.
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