



W.P. No. 11598 of 2017

IN THE HIGH COURT OF JUDICATURE AT MADRAS

WEB COPY

DATED 10.11.2023

CORAM

**THE HONOURABLE Mr. JUSTICE R.MAHADEVAN
AND
THE HONOURABLE Mr. JUSTICE P.D.AUDIKEVALU**

**W.P. No. 11598 of 2017
and
W.M.P. No. 12605 of 2017**

Abdul Samath

... Petitioner

-VS-

1. The District Collector
Collectorate, Coimbatore.
2. The Commissioner
Mettupalayam Municipality
Mettupalayam
Coimbatore District.
3. The Superintendent of Police
Coimbatore (Rural), Coimbatore.
4. The Deputy Superintendent of Police
Periyanaickenpalayam Division
Periyanaickenpalayam
Coimbatore District.
5. The Inspector
Mettupalayam Police Station
Mettupalayam
Coimbatore District.



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6. K.Saravanan

... Respondents

Prayer:- Writ Petition filed under Article 226 of the Constitution of India, 1950, praying for a Writ of Mandamus, directing the First Respondent to constitute the Town Vending Committee as required under Section 22 of the Street Vendor (Protection of Livelihood and Regulation of Street Vending) Act, 2014 and consequently direct the Second Respondent to allot suitable Hawking pitches in and around the Anna Market, Banglowmedu, Mettupalayam, Coimbatore for the use of street vendors of the locality.

For Petitioner : Mr. R.Abdul Mubeen

For Respondents : Mr. B.Anand (R2)

Mr. K.M.D.Muhilan, AGP
(RR1,3,4 & 5)

ORDER

(Order of the Court was made by P.D.AUDIKEVALU, J.)

Heard Mr. R.Abdul Mubeen, Learned Counsel for the Petitioner, Mr. B.Anand, Learned Counsel appearing for the Second Respondent, Mr. K.M.D.Muhilan, Learned Additional Government Pleader appearing for the First and Third to Fifth Respondents, and perused the materials placed on record, apart from the pleadings of the parties.



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2. The Petitioner, who is a hawker vending goods at Anna Market, Mettupalayam, Coimbatore District, has filed this Public Interest Litigation seeking to constitute the Town Vending Committee as required under Section 22 of the Tamil Nadu Street Vendors (Protection and Regulation of Street Vending) Act, 2014 (hereinafter referred to as the 'Street Vendors Act' for short) and to consequently direct the Second Respondent to allot suitable hawking pitches in and around Anna Market, Banglowmedu, Mettupalayam, Coimbatore District for use and occupation of that locality.

3. The Second Respondent has filed additional Counter-Affidavit dated 30.10.2023 stating that 828 number of vendors have been identified for street vending in the various localities within the jurisdiction of the Municipality of the Second Respondent. It has been brought to notice that since the tenure of the earlier members of the Street Vending Committee had expired, the Director of Municipal Administration has determined the time frame for survey of street vendors and consequential action would be taken as per the details shown below:-



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S. No.	Activity	Time Line
1.	Completion of ongoing Street Vendors Survey	21.10.2023
2.	Issue of ID cards to Street Vendors	15.11.2023
3.	Conducting Election to select Vending Committee Members	31.12.2023
4.	Town Vending Committee formation	20.01.2024
5.	Identification of Vending Zone and Non-vending Zone	28.02.2024
6.	Preparation of Street Vending Plan	31.03.2024

It shall be incumbent upon the concerned authorities to carry out the aforesaid exercise within the specific periods as undertaken by them. It is needless to add here that if the Petitioner or any other person has any further grievance in that regard, they are not precluded from working out their remedies before the proper forum in the manner recognized by law.

In the result, the Writ Petition is disposed with the aforesaid observations. Consequently, connected Miscellaneous Petition is closed. No costs.

(R.M.D., J.)

(P.D.A., J)

10.11.2023

Index: Yes / No

Speaking order/ Non-speaking order

Neutral Citation: Yes / No

Maya



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**R.MAHADEVAN, J.
and
P.D.AUDIKESAVALU, J.**

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