

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

WEB COPY

DATED: 29.08.2023**CORAM****THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN****W.P.(MD)No.22722 of 2015**

1. Street Vendors Welfare Association,
Affiliated with AITUC Trade Union,
Rep. by its Secretary V.Maheswari,
W/o.Velusamy,
No.88-A, Mengils Road,
Dindigul Post & District.
2. M.Kalaiyarasi
3. M.Palaniammal
4. M.Sivakumar
5. A.Chinnammal
6. P.Muthulakshmi
7. M.Kaliappan
9. G.Karpagam
9. M.Gandhimathi
- 10.Lakshmi
- 11.K.Pechiammal
- 12.M.Panchavarnam
- 13.Rajalakshmi
- 14.S.Jeyakodi



15.M.Ponnuthai

16.Arukaniammal

... Petitioners

Vs.

1. The District Collector,
Dindigul District,
Dindigul.
2. The Superintendent of Police,
Dindigul District,
Dindigul.
3. The Tahsildar,
Oddanchatram Taluk,
Dindigul District.
4. The Commissioner,
Oddanchatram Municipality,
Dindigul District.
5. The Assistant Divisional Engineer,
National Highways, Dindigul Zone,
Dindigul.

6. P.Velusamy

... Respondents

Prayer: Writ petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents 1 and 4 to allow the petitioners to work on the same place in front of survey No.129/A/4, situated at Main Road, Oddanchatram Palani Highway, Dindigul District or any other alternative place guarantees under the Protection of Livelihood and Regulation of Street vending Act 2014 on the basis of the petitioners' representation dated 06.11.2015.



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For Petitioners : Mr.T.Murugan

For R-1 to R-3 &
R-5 : Mr.S.Ra.Ramachandran,
Additional Government Pleader.

For R-6 : Mr.M.P.Senthil

For R-4 : No appearance.

* * *

ORDER

Heard the learned counsel appearing for the writ petitioners and the learned Additional Government Pleader appearing for the official respondents and the learned counsel appearing for the sixth respondent.

2. There is no representation on the side of the local body.

3. In this writ petition, the cause of the street vendors is being espoused. The Parliament has passed the Street Vendors (Protection of Livelihood and Regulation of Street Vending) Act, 2014 for protecting the rights of the street vendors.



4. The Commissioner, Oddanchatram is directed to form a Town Vending Committee, if such committee has not already been formed. It is stated that the petitioners have been evicted and that they are no longer carrying on their street vending business in the petition-mentioned site. But it is clear that proper rehabilitation measures have not been adopted.

5. The fourth respondent is directed to adhere to the process set out in the aforesaid statute. The first petitioner is permitted to make a representation afresh to the fourth respondent. The fourth respondent is directed to invite the first petitioner for enquiry and final order on merits and in accordance with law shall be passed having regard to the statutory scheme set out in the aforesaid statute. This shall be done by the fourth respondent within a period of twelve weeks from the date of receipt of a copy of this order. This writ petition stands disposed of accordingly. No costs.

29.08.2023

NCC : Yes / No
Index : Yes / No
Internet : Yes/ No
PMU



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To:

1. The District Collector,
Dindigul District,
Dindigul.
2. The Superintendent of Police,
Dindigul District,
Dindigul.
3. The Tahsildar,
Oddanchatram Taluk,
Dindigul District.
4. The Assistant Divisional Engineer,
National Highways, Dindigul Zone,
Dindigul.



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G.R.SWAMINATHAN,J.

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