



W.P.(MD)No.13208 of 2017

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 30.06.2023

CORAM:

THE HONOURABLE MR.JUSTICE B.PUGALENDHI

W.P.(MD)No.13208 of 2017

and

W.M.P.(MD)No.10275 of 2017

R.Palanivel

... Petitioner

versus

1. The District Collector,
Madurai District,
Madurai.

2. The Commissioner,
Madurai Municipal Corporation,
Madurai.

3. Fr.Y.Arockiam,
Procurator R.C.Diocese,
Arch Bishop's House,
Near I.T.I, K.Pudur,
Madurai.

... Respondents

Writ Petition filed under Article 226 of the Constitution of India,
seeking for the issuance of Writ of Mandamus, to direct the respondent
Nos.1 and 2 herein to grant licence to the petitioner for running the



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Cycle and Two Wheeler Puncture Shop under the Street Vendors (Protection of Livelihood and Regulation of Street Vending) Act 2014 on the road margin at No.24A, Abimannan Street, near Sebastian Church, Simmakal, Madurai on the basis of the petitioner's representation dated 25.05.2017, within the time stipulated by this Court.

For Petitioner : No appearance
For R1 : Mr.P.T.Thiraviam,
Government Advocate
For R2 : No appearance
For R3 : Mr.C.Dhanaseelan

ORDER

This writ petition is filed for a Mandamus, directing the respondent Nos.1 and 2 herein to grant licence to the petitioner for running the Cycle and Two Wheeler Puncture Shop under the Street Vendors (Protection of Livelihood and Regulation of Street Vending) Act 2014 on the road margin at No.24A, Abimannan Street, near Sebastian Church, Simmakal, Madurai, based on his representation dated 25.05.2017.



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WEB COPY 2. When the matter was taken up for hearing on 21.06.2023, there was no representation for the petitioner. Hence, the matter was directed to be listed under the caption “For Dismissal”. Even today, there is no representation for the petitioner.

3. The learned counsel appearing for the third respondent, by referring the counter affidavit filed by them, submits that the petitioner was running a two-wheeler puncture workshop in the said place and he has been evicted by the Police at the instructions of the 2nd respondent, however, he still put up an iron stand and some iron pillars stating that he will not take them in view of pendency of the writ petition. He further submits that the petitioner's claim to declare him as Street Vendor has already been considered and rejected by order dated 06.06.2017 passed by the Central Town Welfare Officer of the 2nd respondent. Therefore, there is no merits in this writ petition.



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4. Since there is no representation for the petitioner, this writ petition is dismissed for default. No costs. Consequently, connected miscellaneous petition is closed.

30.06.2023

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NCC : Yes / No.

Index : Yes / No.

Internet : Yes / No.

To

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B.PUGALENDHI, J.

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