



W.P.Nos.2891, 961 & 992 of 2021
and 19215 of 2020

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 08.08.2024

CORAM :

THE HONOURABLE MR.JUSTICE R. SURESH KUMAR
AND
THE HONOURABLE MR.JUSTICE A.D.JAGADISH CHANDIRA

W.P.Nos.2891, 961 & 992 of 2021
and 19215 of 2020

C.Gopi	..	Petitioner in W.P.No.2891 of 2021
C.Sakthivel	..	Petitioner in W.P.No.961 of 2021
N.Sarala	..	Petitioner in W.P.No.992 of 2021
Sirajidin	..	Petitioner in W.P.No.19215 of 2020

Vs.

1. The State Commissioner
Disabled Person Welfare Office
Jawaharlal Nehru Inner Ring Road
K.K.Nagar, Chennai – 600 078.
2. The Corporation Commissioner
Greater Chennai Corporation
Rippon Building, Chennai – 600 003.
3. The Chairman
Town Vending Committee
Chennai Corporation Zonal Office
Zone – 9, No.8, Lake Area
Nungambakkam
Chennai – 600034.

Respondents in
W.P.No.2891 of 2021



W.P.Nos.2891, 961 & 992 of 2021
and 19215 of 2020

WEB COPY

1. The Zonal Officer
Zone VIII, Greater Chennai Corporation
Door No.36-B, Pulla Avenue
Shenoy Nagar
Chennai – 600 030. .. Respondent in
W.P.No.961 of 2021
1. The Commissioner
Corporation of Chennai
Ripon Building
Chennai – 600 003.
2. The Commissioner of Police
Chennai City, Vepery
Chennai - 600 007.
3. Inspector of Police
Mugappair Police Station
Mugappair, Chennai. .. Respondents in
W.P.No.992 of 2021
1. The Commissioner
Chennai Corporation
Chennai – 600 003.
2. The Commissioner
O/o. The State Commissioner for the Disables
Mylapore
Chennai – 600 004. .. Respondents
W.P.No.19215 of 2020

Prayer in W.P.No.2891 of 2021: Petition filed under Article 226 of the Constitution of India, seeking for a writ of mandamus, directing the third respondent to consider the petitioner's representation dated 02.02.2021 for grant of license/permission to run bunk shop and pass orders and till such time forbear the second respondent, their official, servant from in any manner interfering with the running of the petitioner's bunk shop at Sudhanthira Nagar Housing Board Entrance, Moors Road, Thousand Light, Chennai – 600 006;

Prayer in W.P.No.961 of 2021: Petition filed under Article 226 of the Constitution of India, seeking for a writ of mandamus, directing the respondent to dispose of the representation dated 05.11.2020;



W.P.Nos.2891, 961 & 992 of 2021
and 19215 of 2020

Prayer in W.P.No.992 of 2021: Petition filed under Article 226 of the Constitution of India, seeking for a writ of mandamus, directing the first respondent to consider the physical condition of the petitioner and representation made by the petitioner dated 20.10.2020 by permitting her to run the petty shop in Mugappair West Main Road Platform near the Coast Guard Apartment Compound Wall opposite to Viveks Business Shop; and

Prayer in W.P.No.19215 of 2020: Petition filed under Article 226 of the Constitution of India, seeking for a writ of mandamus, forbearing the first respondent, its officials, servants, agents or anybody under them for interfering with the running of the petitioner's bunk shop at No.107, Harrington Road Corner, Chetpet, Chennai – 600 031, where selling Tea, Coffee, Snacks, Food and other items, till the formation of Appeal Committee under Section 20 of "The Street Vendors (Protection of Livelihood Regulation) Act, 2014".

For the Petitioner in
W.P.No.2891 of 2021 : Mr.P.Surendran

For the Respondents in
W.P.No.2891 of 2021 : Mr.P.Balathandayutham
Special Government Pleader
for R1

Mr.A.S.Ragul Adithya for
Ms.P.T.Ramadevi
Standing Counsel
for R2 and R3

For the Petitioner in
W.P.No.961 of 2021 : Mr.N.V.N.Margandeyan

For the Respondent in
W.P.No.961 of 2021 : Mr.A.S.Ragul Adithya for
Ms.P.T.Ramadevi
Standing Counsel

For the Petitioner in
W.P.No.992 of 2021 : Mr.C.Deivasigamani

For the Respondents in



WEB COPY



W.P.Nos.2891, 961 & 992 of 2021
and 19215 of 2020

W.P.No.992 of 2021 : Mr.P.Balathandayutham
Special Government Pleader
for R3

Mr.A.S.Ragul Adithya for
Ms.P.T.Ramadevi
Standing Counsel
for R1 and R2

For the Petitioner in
W.P.No.19215 of 2020 : Mr.K.Karuppaiyamooppanar

For the Respondents in
W.P.No.19215 of 2020 : Mr.P.Balathandayutham
Special Government Pleader
for R2

Mr.A.S.Ragul Adithya for
Ms.P.T.Ramadevi
Standing Counsel
for R1

COMMON ORDER

(Order of the Court was made by R.SURESH KUMAR, J.)

It is the case of the petitioners that the petitioners are running bunk shops and to obtain permission and license from the authorities concerned under the provisions of the Street Vendors (Protection of Livelihood and Regulation of Street Vending) Act, 2014 [for brevity, hereinafter referred to as "the Act of 2014"], representations have been given. In order to consider the said representations, these writ petitions have been filed.

2. Heard *Mr.P.Surendran,* *Mr.N.V.N.Margandeyan,*



W.P.Nos.2891, 961 & 992 of 2021
and 19215 of 2020

Mr.C.Deivasigamani and *Mr.K.Karuppaiyamooppanar* learned counsel for the respective petitioners, *Mr.P.Balathandayutham*, learned Special Government Pleader and *Ms.P.T.Ramadevi*, learned Standing Counsel for respondent Corporation.

3.1. It is brought to our notice by the learned Standing Counsel that under the Act of 2014, the Town Vending Committee has been reconstituted by the Government Order in G.O (4D) No.29, Municipal Administration & Water Supply (MC.2) Department, dated 07.08.2023, consisting of fifteen members, chaired by the Commissioner of Greater Chennai Corporation.

3.2. Before the said Committee, an application shall be given in the format prescribed under Clause 4(2) of the Tamil Nadu Street Vendors (Protection of Livelihood and Regulation of Street Vending) Scheme and Rules, 2015, and in that format, if any application is filed, the Town Vending Committee, already constituted, would take care of it and a final decision would be taken.

4. Learned counsel appearing for the respective petitioners



*W.P.Nos.2891, 961 & 992 of 2021
and 19215 of 2020*

would submit that the petitioners would make appropriate applications to the Town Vending Committee in the prescribed format within a period of two weeks. Therefore, seek indulgence of this Court to give directions to the Town Vending Committee to decide the same on merits and in accordance with law.

5. Having regard to the aforesaid facts and circumstances and taking note of the submissions made by the respective learned counsel, this Court is inclined to pass the following orders:

(i) It is open to the petitioners to make applications in the prescribed format to the Town Vending Committee within a period of two weeks from the date of receipt of a copy of this order. On receipt of the same, the Town Vending Committee shall consider it and decide on its own merits and in accordance with law;

(ii) In this regard, necessary inputs, if any, to be given to the Town Vending Committee by the respondent Corporation shall also be immediately given without any delay. After considering the merits of the claim, to be made by the writ petitioners, a final decision can be taken.

(iii) It is needless to mention that depending upon the final decision to be taken, the fate of



*W.P.Nos.2891, 961 & 992 of 2021
and 19215 of 2020*

the shop/bunk of the petitioners, whether to be continued in the present location or in any other location or not would be decided; and

(iv) It is made clear that the final decision shall be taken by the Town Vending Committee within a period of three months from the date of receipt of the application. Till such time, if any shop/bunk has already been possessed by the petitioner, the same can be verified, if so, that shall not be disturbed.

6. With these directions and observations, these writ petitions stand disposed of. There shall be no order as to costs. Consequently, W.M.P.No.3235 and 78 of 2021 are closed.

(R.S.K., J.) (A.D.J.C., J)
08.08.2024

Neutral Citation: Yes/No

drm



*W.P.Nos.2891, 961 & 992 of 2021
and 19215 of 2020*

WEB COPY

To:

1. The State Commissioner
Disabled Person Welfare Office
Jawaharlal Nehru Inner Ring Road
K.K.Nagar, Chennai – 600 078.
2. The Corporation Commissioner
Greater Chennai Corporation
Rippon Building, Chennai – 600 003.
3. The Chairman
Town Vending Committee
Chennai Corporation Zonal Office
Zone – 9, No.8, Lake Area
Nungambakkam, Chennai – 600034.
4. The Zonal Officer
Zone VIII, Greater Chennai Corporation
Door No.36-B, Pulla Avenue
Shenoy Nagar
Chennai – 600 030.
5. The Commissioner of Police
Chennai City, Vepery
Chennai - 600 007.
6. Inspector of Police
Mugappair Police Station
Mugappair, Chennai.
7. The Commissioner
O/o. The State Commissioner for the Disabilities
Mylapore, Chennai – 600 004.



WEB COPY



*W.P.Nos.2891, 961 & 992 of 2021
and 19215 of 2020*

R. SURESH KUMAR, J.
AND
A.D.JAGADISH CHANDIRA, J.
(drm)

W.P.Nos.2891, 961 & 992 of 2021
and 19215 of 2020

08.08.2024
(½)