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W.P.No.8130, 8132 & 8135 of 2024

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.No.8130, 8132 & 8135 of 2024

Vinotha	..	Petitioner in W.P.No.8130 of 2024
Senthamarai	..	Petitioner in W.P.No.8132 of 2024
E.Sakthivel	..	Petitioner in W.P.No.8135 of 2024

Vs.

1. The Commissioner
Corporation of Chennai, Rippon Building
Chennai – 600 003.
 2. The Zonal Officer (Zone No.9)
Corporation of Chennai
Nungambakkam
Chennai – 600 034.
- .. Respondents in all W.Ps

Prayer in W.P.No.8130 of 2024: Petition filed under Article 226 of the Constitution of India, seeking for a writ of mandamus, forbearing the respondents, their officials, or anybody claiming through them from interfering with the running of the petitioner's bunk shop at No.6/50, College Road, Opposite to Padmapriya Apartments, Near Metrological Department, Nungambakkam, Chennai 600 034, wherein selling tea, coffee, snacks, fruit juice,



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cool drinks and other food items therein, till the Township Vending Committee decides the issue on the petitioner's application dated 14.02.2024 as per the provision of the Street Vendors (Protection of Livelihood Regulation) Act, 2014;

Prayer in W.P.No.8132 of 2024: Petition filed under Article 226 of the Constitution of India, seeking for a writ of mandamus, forbearing the respondents, their officials, or anybody claiming through them from interfering with the running of the petitioner's bunk shop at near Water Tank Compound, Gangaikaraipuram Cathedral Garden Road, Kodambakkam High Road, Chennai – 600 034, wherein selling tea, coffee, snacks, fruit juice, cool drinks and other food items therein, till the Township Vending Committee decides the issue on the petitioner's application dated 09.03.2024 as per the provision of the Street Vendors (Protection of Livelihood Regulation) Act, 2014; and

Prayer in W.P.No.8135 of 2024: Petition filed under Article 226 of the Constitution of India, seeking for a writ of mandamus, forbearing the respondents, their officials, or anybody claiming through them from interfering with the running of the petitioner's bunk shop at New Door No.7, Old Door No.4, (Soundarya Nivas), Thanikachalam Road, Opposite to Manimekalai Publications, near to Mambalam Sub Station of TANGEDCO, Chennai – 600 017, wherein selling tea, coffee, snacks, fruit juice, cool drinks and other food items therein, till the Township Vending Committee decides the issue on the petitioner's application dated 23.02.2024 as per the provision of the Street Vendors (Protection of Livelihood Regulation) Act, 2014.



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For the Petitioners
in all W.Ps : Mr.R.Kamaraj

For the Respondents
in all W.Ps : Mr.A.S.Ragul Aditya for
Ms.P.T.Ramadevi
Standing Counsel

COMMON ORDER

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

The petitioners have made applications in the prescribed format on 14.02.2024, 09.03.2024 and on 23.02.2024 respectively to the Town Vending Committee, which has been constituted under 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.

2. Applications have been made by the petitioners before the said Authority in the prescribed format and since the same has not been considered so far, the petitioners have moved the present writ petitions with the aforesaid prayer.

3. Heard *Mr.R.Kamaraj*, learned counsel for the petitioner and *Mr.A.S.Ragul Aditya*, learned counsel appearing on behalf of *Ms.P.T.Ramadevi*, learned Standing Counsel for the respondents.



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4. Learned counsel for the respondents submits that if the applications are made in the prescribed format to the Town Vending Committee, the Committee would take care of the said applications and decide the same, on its own merits and in accordance with law, within the time frame, that may be stipulated by this Court.

5. Considering the limited scope of the prayer sought in these writ petitions and having regard to the aforesaid stand taken by the respondent Corporation through the learned Standing Counsel for the Corporation, this Court is inclined to dispose of these writ petitions with the following orders:

(i) There shall be a direction to the Town Vending Committee to decide the applications filed by the petitioners dated 14.02.2024, 09.03.2024 and 23.02.2024 in the prescribed format and decide the same, on its own merits and in accordance with law, within a period of three months from the date of receipt of a copy of the order;

(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 petitioner, a final decision can be taken.



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(iii) It is needless to mention that depending upon the final decision to be taken, the fate of the shop/bunk of the petitioner, 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 a copy of the order. Till such time, if any shop/bunk has already been possessed by the petitioners, the same can be verified, if so, that shall not be disturbed.

6. These writ petitions, accordingly, stand disposed of. There shall be no order as to costs.

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

Neutral Citation:Yes/No

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To:

1. The Commissioner
Corporation of Chennai, Rippon Building
Chennai – 600 003.
2. The Zonal Officer (Zone No.9)
Corporation of Chennai
Nungambakkam, Chennai – 600 034.



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

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