



WEB COPY



W.P.No.12607 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.12607 of 2024

Nagammal .. Petitioner

Vs.

1. The District Collector
Gummidipoondi, Thiruvallur District.
2. The Tahsildar
Gummidipoondi Taluk Officer
Gummidipoondi, Thiruvallur District.
3. The Executive Officer
(Town Vending Committee)
Gummidipoondi Town Panchayat Officer
Gummidipoondi, Thiruvallur District. .. Respondents

Prayer: Petition filed under Article 226 of the Constitution of India, seeking for a writ of mandamus, directing the respondent 3 to consider the representation of the petitioner seeking for grant of license/permission for running of the petitioner bunk shop situated at selling tea, coffee and snacks and till such time not to disturb the running the same.

For the Petitioner : Mr.R.Rajadurai

For the Respondents : Mr.R.Selvendiran
Special Government Pleader



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ORDER

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

The prayer sought in the present writ petition is to direct the third respondent, by way of a mandamus, to consider the representation of the petitioner seeking for grant of license/permission for running of the petitioner bunk shop, selling tea, coffee and snacks and consequently, direct the respondents to not to disturb the running of the bunk shop till such time.

2. Though the representation has been given by the petitioner on 07.11.2020 to the respondents 2 and 3, seeking license under the Tamil Nadu Street Vendors (Protection of Livelihood and Regulation of Street Vending) Act, 2014, the learned Special Government Pleader appearing for the respondents would submit that the Town Vending Committee has been constituted, which is headed by the Executive Chairman of the Town Panchayat, that is the third respondent herein, before whom if application is made in the prescribed format, that would be considered by the Town Vending Committee.



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3. Having regard to the said submissions made by *Mr.R.Selvendiran*, learned Special Government Pleader, this Court is inclined to dispose of this writ petition with the following orders:

(i) It is open to the petitioner 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 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



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(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.

4. With these directions, the writ petition stands 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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R. SURESH KUMAR, J.
AND
A.D.JAGADISH CHANDIRA, J.
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