



W.P.No.12433 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 08.08.2024

CORAM:

THE HONOURABLE MR. JUSTICE **G.K.ILANTHIRAIYAN**

W.P.No.12433 of 2024
and W.M.P.No.13570 of 2024

S.Parvathy

... Petitioner

Vs.

1. The District Collector,
O/o The District Collector,
Salem District.
2. The Commissioner of Corporation,
O/o Salem Municipal Corporation,
Salem District.
3. The Assistant Commissioner of Corporation,
O/o Zonal Municipal Corporation,
Ammapettai, Salem District.
4. The Special Committee,
(Appoint as per order
of the High Court-Madras)
O/o the Salem Corporation
Salem District.
5. Lokesh @ Lokeshwaran,
Bidder,
Krishna center,
Near oriental Theatre,
Salem 636001.
6. G. Venkatesh



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Bidder,
No: 43rd Ward,
Near MGR Hospital,
Kitchipalayam,
Puthu Theru,
Salem District .

7. N. Gunasekaran,
Bidder 241/53,
1st Agraharam,
Sree Santhosh Printing,
Salem District.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the first to third respondents to provide a permanent shop in ground floor first shop as per earlier with an assurance as the identified entitlement of the petitioner and consequentially by this Court may be fixed the stipulate time for consider the petitioner's representation on 21.04.2024.

For Petitioner : Mr.G.Munuraj

For Respondents

For R1 : Mr.V.Manoharan

Additional Government Pleader

For R2 to R4 : Mr.P.Muthukumar

Additional Advocate General

Assisted by Mrs.N.Devi

Standing Counsel



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ORDER

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This writ petition has been filed for direction directing the respondents 1 to 3 to provide a permanent shop in ground floor first shop as per the representation submitted by the petitioner dated 21.04.2024.

2. The petitioner is a flower vendor on the street near V.O.C. Market in Salem. The petitioner was directed to vacate from the place and accommodated temporarily in the Salem Subash Chandra Boss ground, old bus stand, Salem, with an assurance that she will be provided with permanent shop in the proposed flower market to be constructed. Accordingly, the petitioner was accommodated temporarily at Nehru Kalayarangam, Salem old bus stand. However, it was not sufficient to accommodate since there was large scale of intervention by the commission agents through political force.

3. Therefore, the person, who were not allowed to carry out the business, approached this Court in a batch of writ petition and this Court by an order dated 27.04.2022, directed the authorities to constitute a committee for allotting the space for retail vending in accordance to the object and welfare of primary process. This Court also directed to



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eliminate the middle man or any other political force to interfere and to ensure the welfare of the retail business man who sell those agricultural products. Accordingly, the Committee was constituted and the petitioner was allotted in VOC daily market. Now the petitioner sought for permanent shop in the VOC flower market situated at first Agraharam, Salem.

4. Heard the learned counsel appearing on either side and perused the material placed before this Court.

5. On perusal of the submission made by the learned Additional Advocate General revealed that as directed by this Court, a Committee was constituted and after construction of market, the petitioner was allotted a shop. In fact, the fifth respondent was awarded license for VOC market to collect rent. The first go first serve basis, the places were allotted for the agricultural products by the fifth respondent. Therefore, the respondents 1 to 3 are nothing to do with the allotment of permanent shop. That apart, no one is allotted permanent shop in the VOC market and it is daily market. After paying the daily amount, they come and sell the agricultural products in the VOC market. Therefore, the



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prayer sought for in this writ petition cannot be considered and the writ petition is devoid of merits and liable to be dismissed.

6. Accordingly, the Writ Petition stands dismissed.

Consequently, connected miscellaneous petition is closed. There shall be no orders as to costs.

08.08.2024

Index : Yes/No
Speaking/Non Speaking order
Neutral Citation : Yes/No
rts

To

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2. The Commissioner of Corporation,
O/o Salem Municipal Corporation,
Salem District.
3. The Assistant Commissioner of Corporation,
O/o Zonal Municipal Corporation,
Ammapettai, Salem District.



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rts

4. The Special Committee,
(Appoint as per order
of the High Court-Madras)
O/o the Salem Corporation
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