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W.P.No.13215 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.05.2024

CORAM

THE HONOURABLE MR.JUSTICE **A.D.JAGADISH CHANDIRA**
and
THE HONOURABLE MRS.JUSTICE **R.KALAIMATHI**

W.P.No.13215 of 2024
and WMP.No.14363 of 2024

M.V.Elumalai

... Petitioner

Vs.

The Commissioner
Avadi City Municipal Corporation
391, New Military Road,
Vivekananda Nagar,
TNHB Mig V Block,
Avadi, Chennai 600 071.

... Respondent

Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus forbearing the respondent, their officials, or anybody claiming through them from interfering with the running of the petitioner's bunk shop near Bus Depot, Opposite to Singapore Shopping, CTH Road, Avadi, Chennai 600 054, wherein selling Tea, Coffee, Snacks and other food items therein till the Township Vending Committee decides on the petitioner's representation dated 03.05.2024 for granting certificate of vending as per the provisions of the Street Vendors (Protection



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of Livelihood Regulation) Act, 2014.

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For Petitioner : Mr.R.Kamaraj

For Respondent : Mr.R.H.Gopinath
Standing Counsel

ORDER

[Order of the Court was made by A.D.JAGADISH CHANDIRA, J.,]

By consent, the main writ petition itself is taken up for final disposal at the admission stage.

2. This writ petition has been filed for the issuance of a writ of mandamus forbearing the respondent, their officials, or anybody claiming through them from interfering with the running of the petitioner's bunk shop near Bus Depot, Opposite to Singapore Shopping, CTH Road, Avadi, Chennai 600 054, till the Township Vending Committee decides on the petitioner's representation dated 03.05.2024 for granting certificate of vending as per the provisions of the Street Vendors (Protection of Livelihood Regulation) Act, 2014. .



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3. It is the case of the petitioner that he is running a bunk shop near Bus Depot, Opposite to Singapore Shopping, CTH Road, Avadi, Chennai for the past several years and selling Tea, Coffee, Snacks and other food items. The Central Government has enacted "The Street Vendors (Protection of Livelihood Regulation) Act, 2014" safeguarding the "Street Vendors" by regulating their business. Since the State Government and the local body have not taken any steps to regulate the street vending, the respondent to be refrained from interfering with the petitioner's business of running bunk shop in the above mentioned place. While so, the officials of the respondent are frequently visiting the bunk shop and threatening the petitioner to remove his shop stating that the same is unauthorised as he has not applied before the Township Vending Committee and obtained direction from this Court. Therefore on 03.05.2024 the petitioner sent a representation to the respondent for certificate of Vending. However, again on 04.05.2024 the officials came and threatened him to vacate the shop within one week. Hence, the present writ petition has been filed.

4. Heard the learned counsel on either side.



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5. Considering the facts and circumstances of the case, without going into the merits of the case, the respondent is directed to consider the representation of the petitioner dated 03.05.2024 and pass orders on merits and in accordance with law, within a period of four weeks from the date of receipt of a copy of this order, after giving notice to the interested parties. Till such time no coercive steps shall be taken by the respondent against the petitioner.

6. With the above direction, the writ petition is disposed of. No costs. consequently connected miscellaneous petition is also closed.

(A.D.J.C.,J.) (R.K.M.,J.)
08.05.2024

Index : Yes / No
Neutral Citation : Yes / No
dpq/mrn

To

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A.D. JAGADISH CHANDIRA, J.,
and
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