



W.P. No.16031 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED:11.07.2024

CORAM

THE HON'BLE MRS.JUSTICE V.BHAVANI SUBBAROYAN

W.P.No.16031 of 2024

Gangadaran

....Petitioner

..Vs..

1. The Commissioner,
Tambaram City Municipal Corporation,
No.28, Muthuranga Mudali Street,
Tambaram West, Chennai – 600 045.

2. The Zonal Officer (Zone No.2)
Tambaram City Municipal Corporation,
Chrompet, Chennai – 600 044.

....Respondents

PRAYER: Writ 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 Accenture, Wells Fargo, Embassy Splendid Tech Zone, Pallavaram, and Thuraipakkam Road, Chennai – 600 043 wherein selling, Tea, coffee, snacks, tiffin and other foods items therein, till



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the Township Vending Committee decides the issue on the petitioner's application dated 25.03.2024 as per the provision of the Street Vendors (Protection of Livelihood Regulation) Act, 2014 and pass orders accordingly.

For petitioner : Mr. R. Kamaraj
For Respondents : Mr.P. Srinivas for RR1 & 2

ORDER

This Writ petition has been filed 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 Accenture, Wells Fargo, Embassy Splendid Tech Zone, Pallavaram, and Thuraipakkam Road, Chennai – 600 043 wherein selling, Tea, coffee, snacks, tiffin and other foods items therein, till the Township Vending Committee decides the issue on the petitioner's application dated 25.03.2024 as per the provision of the Street Vendors (Protection of Livelihood Regulation) Act, 2014 and pass orders accordingly.



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2. It is the case of the petitioner that the petitioner is running a bunk shop in the above mentioned place selling tea, coffee and other snacks.

The petitioner has submitted a representation dated 25.03.2024 seeking to grant certificate of vending in the above mentioned place before the respondents and the same has not been considered by the respondents. Therefore, the petitioner has come up with this Writ Petition.

3. The learned counsel for the petitioner submits that the petitioner being a differently abled person is eking out his livelihood by running of the bunk shop. While being so, the respondents are threatening the petitioner to remove the said bunk shop since he has not been granted proper certificate to run the shop. Therefore, the petitioner has submitted an application in Form III of the Act before the 2nd respondent seeking for Certificate of Vending to run the bunk shop in the above place. The said application has not been considered by the respondents till now. Hence, the petitioner has filed the present Writ petition seeking the relief as stated therein.



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4.The learned counsel for the respondents submits that the Vending Committee has been constituted by the Government of Tamil Nadu and the application of the petitioner will be considered in due course under the relevant Act. However, he has pointed out that the date of application filed by the petitioner shows as issued on 25.03.2021 and not 25.03.2024.

5.Heard both sides and perused the material available on records.

6. Having considered the facts and circumstances of the case and submission made by the learned counsel for the respondents, this Court without going into the merits of the case, directs the respondents to consider the petitioner's application after placing before the competent Vending Committee under the relevant Act in the manner known to law and pass appropriate orders as expeditiously as possible, preferably, within a period of four weeks from the date of receipt of copy of this order. If the respondents refuse to accept the said application stating the reasons that the date of application has been mentioned as 25.03.2021, the petitioner is at liberty to submit a fresh application before the respondents for consideration



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of the Vending Committee under the relevant Act. Till consideration of the said application, the petitioner shall run the bunk shop for his livelihood.

7. In view of the above direction, the Writ petition is disposed of. No costs.

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Index : Yes/No
Internet: Yes/No
Lbm

To

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V.BHAVANI SUBBAROYAN, J.,

Lbm

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