



WEB COPY



W.P.No.20221 of 2020

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.20221 of 2020
and
W.M.P.Nos.25001 and 25005 of 2020

Tamil Nadu Nethaji Subash Chandrabose,
Ammaippusara Matrum Kattumana Meenpidi
Tholizhalar Padukappu Peravai,
Represented by its President P.Muthu,
No.37-A, Kamarajar Salai,
Mylapore,
Chennai - 600 004.

... Petitioner

-Vs-

1. The Principal Secretary to Government,
Secretariat,
Home Department,
Chennai - 600 009.

2. The Commissioner,
Greater Chennai Corporation,
Chennai - 600 003.

... Respondents

PRAYER : Petition under Article 226 of the Constitution of India, praying for issuance of writ of Certiorarified Mandamus, calling for records of the second respondent's notification dated 10.12.2020 Se.Vay.No.260 and quash the same as illegal and further directing the second respondent to strictly implement the



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order passed by this Court in W.P.Nos.1916 and 16716 of 2013 pursuant to the directions issued by the Hon'ble Supreme Court of India in the decision (Maharastra Ekka Hawkers Union Case) in the light of the Street Vendors (Protection of Livelihood and Regulation of Street Vending) Act, 2014 by the consideration of petitioner's representation dated 19.12.2020.

For Petitioner : Mr.S.Arivalagan
For Respondents : Mr.P.Balathandayutham
Special Government Pleader for R1
Mr.A.S.Rahul Aditya
for Ms.P.T.Ramadevi
Standing Counsel for R2

O R D E R

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

The prayer sought for herein is for a writ of certiorarified mandamus, to call for the records pertaining to the notification of the second respondent in Se.Vay.No.260 dated 10.12.2020 and quash the same and direct the second respondent to strictly implement the order passed by this Court in W.P.Nos.1916 and 16716 of 2013 pursuant to the directions issued by the Hon'ble Supreme Court of India in the decision (***Maharastra Ekka Hawkers Union Case***) in the light of the Street Vendors (Protection of Livelihood and Regulation of Street Vending) Act, 2014 by considering the petitioner's representation dated 19.12.2020.



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2. Though such a prayer has been sought for by the petitioner which is an Association, today when the matter is taken up for hearing, Mr.S.Arivalagan, learned counsel appearing for the petitioner would submit that, since the Town Vending Committee has been constituted by issuance of G.O(4D)No.29, Municipal Administration and Water Supply (MC.2) Department, dated 07.08.2023, each member of the petitioner association would make an individual application to the Town Vending Committee in a prescribed format and if such application is made by the individual members, that can be directed to be considered by the Town Vending Committee on merits and in accordance with law within a time frame that may be fixed by this Court.

3. Heard Mr.P.Balathandayutham, learned Special Government Pleader appearing for the first respondent and Mr.A.S.Ragul Aditya, learned counsel appearing for the second respondent.

4. Having regard to the said stand taken by the learned counsel appearing for the petitioner, we are inclined to dispose of the writ petition with the following directions:

that it is open to the individual members of the petitioner association to make an application in a prescribed



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format to the Town Vending Committee within a period of two weeks from the date of receipt of a copy of this order and if such application is made, that shall be considered by the Town Vending Committee on merits and in accordance with law within a period of two months thereafter.

5. With the above observations and directions, this Writ Petition is disposed of. However, there shall be no order as to costs. Consequently, connected miscellaneous petitions are closed.

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

NCC : Yes / No

Index : Yes / No

Speaking Order : Yes / No

vji

To

1. The Principal Secretary to Government,
Secretariat,
Home Department,
Chennai - 600 009.

2. The Commissioner,
Greater Chennai Corporation,
Chennai - 600 003.



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A.D.JAGADISH CHANDIRA, J.**

vji

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