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W.P.No.22224 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 02.08.2024

CORAM:

THE HONOURABLE MRS. JUSTICE V.BHAVANI SUBBAROYAN

W.P.No.22224 of 2024

K. Thirunavukkarasu

...Petitioner

Vs

1. The Commissioner
Corporation of Chennai,
Rippon Buildings,
Chennai 600 003.

2. The Zonal Officer (Zone No.9)
Corporation of Chennai,
(The Township Vending Committee)
near power House, Kodambakkam
Nungambakkam, Chennai 600 034.

...Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the respondents to consider and pass orders on the petitioner's application dated 17.07.2024 made for grant of Permission/Certificate of Vending and till such time not to interfere with the running of the petitioner's bunk shop opposite to Venkateswara Nilayam, near Door No.17/7, Chevvai Quive Apartments,



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Padmanabha Street, T.Nagar, Chennai 600 017, wherein selling, tea, coffee, snacks tiffin, cool drinks and other food items therein and pass orders.

For Petitioner : Mr.L. Chandrakumar
For Respondent : Mr.A. Arun Babu
Standing Counsel

ORDER

The petitioner has filed this writ petition seeking a direction to the respondents to consider the petitioner's application dated 17.07.2024 made for grant of Permission/Certificate of Vending and till such time not to interfere with the running of the petitioner's bunk shop

2. Mr.A. Arun Babu, Standing Counsel takes notice for the Respondents. In view of the consent expressed by the learned counsel appearing for either side, this petition is taken up for final disposal.

3. The case of the petitioner is that she is running a bunk shop opposite to Venkateswara Nilayam, near Door No.17/7, Chevvai Quive Apartments, Padmanabha Street, T.Nagar, Chennai 600 017 for the past



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several years. The grievance of the petitioner is that the respondents are continuously threatening the petitioner to remove the shop stating that he does not possess “Certificate of Vending”. Hence, the petitioner made an application to the respondents on 17.07.2024 and the same is pending. Hence, the petitioner has come forward with this petition seeking a directions to the respondents not to disturb the petitioner's shop till the “Certificate of Vending” is issued to the petitioner.

4. The learned counsel for the petitioner submitted that as per Section 3 of the Street Vendors (Protection of Livelihood Regulation) Act, 2014”, “ Street Vendor” shall not be evicted or as the case may be relocated till the survey specified under Sub Section (1) has been completed and the certificate of vending issued to all the street vendors. Hence prays to allow this petition.

5. The learned standing counsel appearing for the respondent submitted that they will consider the application of the petitioner and take action in the manner known to law.

6. Considering the facts and circumstances of the case and the



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limited relief sought for by the petitioner, this Court, directs the respondents to consider the representation of the petitioner 17.07.2024 and issue “Certificate of Vending” to the petitioner, till then not to disturb the possession of the petitioner's bunk shop.

7. With the aforesaid direction, this Writ Petition stands disposed of. No costs.

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Index:Yes/No

Speaking order/Non-speaking order

smn

To

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V.BHAVANI SUBBAROYAN,J.

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