



W.P.Nos.32374, 32377, 32382 &
32385 of 2019

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.Nos.32374, 32377, 32382 & 32385 of 2019

A.Kalavathy	..	Petitioner in W.P.No.32374 of 2019
Geetha	..	Petitioner in W.P.No.32377 of 2019
S.Jamuna Rani	..	Petitioner in W.P.No.32382 of 2019
N.Ganesan	..	Petitioner in W.P.No.32385 of 2019

Vs.

1. The Secretary to Government
Local Bodies Department
Government of Tamil Nadu
Fort St. George, Chennai – 600 009.

2. The Zonal Officer
Zone V, Greater Chennai Corporation
No.61, Basin Bridge Road
Chennai – 600 021.

.. Respondents in all W.Ps

Prayer in W.P.No.32374 of 2019: Petition filed under Article 226 of the Constitution of India, seeking for a writ of certiorarified mandamus, calling for the records relating to the proceedings of the second respondent in Z.O.5 Na.Ka.No.13469/2019 dated 11.10.2019 and quash the same and consequently forbear the second respondent, its officials, servants, agents or anybody under them from interfering with the running of the petitioner's bunk shop at No.57/32, Gandhi Irwin Road, Egmore, Chennai – 600 008;



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Prayer in W.P.No.32377 of 2019: Petition filed under Article 226 of the Constitution of India, seeking for a writ of certiorarified mandamus, calling for the records relating to the proceedings of the second respondent in Z.O.5 Na.Ka.No.13469/2019 dated 11.10.2019 and quash the same and consequently forbear the second respondent, its officials, servants, agents or anybody under them from interfering with the running of the petitioner's bunk shop at Opposite to Hotel Impala, Near Amma Drinking Water, Near Sakthi Telecom, Gandhi Irwin Road, Egmore, Chennai – 600 008.

Prayer in W.P.No.32382 of 2019: Petition filed under Article 226 of the Constitution of India, seeking for a writ of certiorarified mandamus, calling for the records relating to the proceedings of the second respondent in Z.O.5 Na.Ka.No.13469/2019 dated 11.10.2019 and quash the same and consequently forbear the second respondent, its officials, servants, agents or anybody under them from interfering with the running of the petitioner's bunk shop at Gandhi Irwin Road, Avana Kapagam Compound, Egmore, Chennai – 600 008; and

Prayer in W.P.No.32385 of 2019: Petition filed under Article 226 of the Constitution of India, seeking for a writ of certiorarified mandamus, calling for the records relating to the proceedings of the second respondent in Z.O.5 Na.Ka.No.13469/2019 dated 11.10.2019 and quash the same and consequently forbear the second respondent, its officials, servants, agents or anybody under them from interfering with the running of the petitioner's bunk shop at No.57/32, Gandhi Irwin Road, Opposite to Government Avana Kappagam, Egmore, Chennai – 600 008.

For the Petitioners
in all W.Ps

: Mr.L.Chandrakumar

For the Respondents
in all W.Ps

: Mr.P.Balathandayutham
Special Government Pleader
for R1

Mr.E.C.Ramesh
Standing Counsel
for R2



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COMMON ORDER

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

The prayers sought in these writ petitions are to call for the records, by way of certiorarified mandamus, relating to the proceedings of the second respondent in Z.O.5 Na.Ka.No.13469/2019 dated 11.10.2019 and quash the same and consequently forbear the second respondent, its officials, servants, agents or anybody under them from interfering with the running of the petitioners' bunk shops.

2. In the impugned order, the concerned area where the petitioners want to get license under the provisions of the Tamil Nadu Street Vendors (Protection of Livelihood and Regulation of Vending) Act, 2014, since has been declared as a non-vending zone, the petitioners have challenged the said order dated 11.10.2019 in these writ petitions.

3. Today, when these matters were taken up for hearing, *Mr.L.Chandrakumar*, learned counsel for the petitioners contended that since the very Town Vending Committee, who declared the said zone as a non-vending zone vide the impugned order has been superseded and a new Committee has been constituted vide



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the Government Order in G.O (4D) No.29, Municipal Administration & Water Supply (MC.2) Department, dated 07.08.2023, consisting of fifteen members, chaired by the Commissioner of Greater Chennai Corporation, the petitioners would made applications first to declare the zone as a vending zone and once that is decided, by declaring the said zone as a vending zone, then applications could be made by the petitioners seeking license, which may be considered in accordance with law.

4. *Mr.E.C.Ramesh*, learned Standing Counsel appearing for the second respondent would submit that insofar as the declaration of a particular area as a vending zone or a non-vending zone is to be decided by the Town Vending Committee, which has been reconstituted, and before whom if at all the petitioners want to make applications, they could make applications seeking such declaration, which would be considered by the Town Vending Committee and thereafter, if the Town Vending Committee has come forward to make a declaration as the said zone is a vending zone, then it is open for the petitioners to make applications afresh in the prescribed format seeking license. In that case, the said applications also would be considered thereafter by the Town Vending Committee.



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5. Having regard to the said submissions made by the learned counsel appearing for both sides, this Court is inclined to dispose of these writ petitions with the following orders:-

(i) It is open to the petitioners to make applications to the Town Vending Committee to declare the zone itself as a Vending Zone. If any such declaration is made, it is further open to the petitioners to make applications in the prescribed format to the Town Vending Committee seeking license and if any applications are made pursuant to the declaration so made as stated *supra*, then that may be considered by the Town Vending Committee and be decided, on merits and in accordance with law, within a period of three months from the date of receipt of such applications made in the prescribed format.

6. With these directions, these writ petitions are disposed of.

There shall be no order as to costs. Consequently,



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W.M.P.Nos.32685, 32688, 32694 and 32695 of 2019 are closed.

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

Neutral Citation:Yes/No

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To:

1. The Secretary to Government
Local Bodies Department
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Fort St. George, Chennai – 600 009.
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R. SURESH KUMAR, J.
AND
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(drm)

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