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W.P.Nos.32329, 34081, 35034 &
35613 of 2019 and 20181 of 2022

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.32329, 34081, 35034
& 35613 of 2019 and 20181 of 2022

[W.P.No.32329 of 2019]

Anbu Nilayam Physically Handicapped
Self Employed Welfare Association
Rep. by its Secretary, No.23
Narasimhan Nagar, 4th Street
Chennai – 600 012.

.. Petitioner

Vs.

1. The Secretary to Government
Local Bodies Department
Government of Tamil Nadu
Fort St. George, Chennai – 600 009.
2. The Commissioner
Greater Chennai Corporation
Rippon Building, Chennai – 600 003.
3. The Zonal Officer / Chairman
Township Vending Committee, Zone V
Greater Chennai Corporation
Basin Bridge Road
Chennai – 600 021.

.. Respondents

Prayer: 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 third respondent dated 12.02.2019 and quash the same and to forbear the third



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respondent, its officials, servants, agents from interfering with the running of the bunk shops run by the members of the petitioner's association in the roadside of margin of Egmore, Chennai – 600 008.

For the Petitioner in
W.P.No.32329 of 2019 :

Mr.L.Chandrakumar

For the Respondents in
W.P.No.32329 of 2019 :

Mr.P.Balathandayutham
Special Government Pleader
for R1

Ms.P.T.Ramadevi
Standing Counsel
for R2 & R3

For the Petitioner in
W.P.No.34081 of 2019 :

Mr.M.Velu

For the Respondents in
W.P.No.34081 of 2019 :

Mr.P.Balathandayutham
Special Government Pleader
for R1

Ms.P.T.Ramadevi
Standing Counsel
for R2, R3 & R5

For the Petitioner in
W.P.No.35034 of 2019 :

Mr.K.B.Vivekanandhan

For the Respondents in
W.P.No.35034 of 2019 :

Ms.P.T.Ramadevi
Standing Counsel

For the Petitioner in
W.P.No.20181 of 2022 :

Mr.L.Chandrakumar

For the Respondents in
W.P.No.20181 of 2022 :

Ms.P.T.Ramadevi
Standing Counsel



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COMMON ORDER

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

Learned counsel appearing for the respective petitioners, now confine to the prayer, by way of mandamus, seeking directions against the respondents, especially the Town Vending Committee, recently constituted vide the Government Order in G.O (4D) No.29, Municipal Administration & Water Supply (MC.2) Department, dated 07.08.2023, to consider the individual applications to be filed by the Members of the petitioner Association, seeking license.

2. Already in W.P.No.22001 of 2024, we have passed the following orders:

"This writ petition has been filed by an Association called The T.Nagar Kizhakku Pakkam Usman Road Street Vendors Association.

2. It is claimed that the Members of this Association are street vendors and on their behalf, the Association seeks a writ of mandamus to consider the representation/application dated 12.07.2024 submitted by them.

3. Heard Mr.E.Dharmaraj, learned counsel for the petitioner, Dr.T.Seenivasan, learned Special Government Pleader for respondent 1, Mr.D.B.R.Prabhu, learned counsel for respondents 2 to 5 and Mr.P.Balathandayutham, learned Special Government Pleader for respondents 6 and 7.



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4. Since under the Street Vendors (Protection of Livelihood and Regulation of Street Vending) Act, 2014 [for brevity, hereinafter referred to as "the Act of 2014"], certain rights are to be verified and conferred only on street vendors to regulate their occupancy of business, a Town Vending Committee has already been constituted at the Corporation level vide the Government Order in G.O (4D) No.29, Municipal Administration & Water Supply (MC.2) Department, dated 07.08.2023, headed by the Commissioner of the Greater Chennai Corporation, consisting of fifteen members, before whom whoever seeks to file an application seeking license under the provisions of the Act of 2014, can make an application in the prescribed format. But here, joint representation has been given by the petitioner Association dated 12.07.2024, which is prayed for direction to consider the same by way of a mandamus.

5. However, the learned Standing Counsel appearing for the respondent Corporation would submit that only individual applications, filed in the prescribed format, would be considered by the Town Vending Committee and not the joint representation filed like the present one by the petitioner Association under the said Act.

6. Learned counsel appearing for the petitioner would submit that the Members of the petitioner Association would be instructed properly to make individual applications in the prescribed format to the Town Vending Committee in due course. If such applications are filed by the Members of the petitioner Association, that can be considered by the Town Vending Committee.

7. Having regard to the aforesaid stand taken by the learned counsel appearing for the petitioner Association, this Court is inclined to



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dispose of this writ petition with the following orders:

(i) It is open to the Members of the petitioner Association to submit individual applications in the prescribed format to the Town Vending Committee, seeking such license under the provisions of the Act of 2014; and

(ii) If any such individual applications are filed by the Members of the petitioner Association, it is open to the Town Vending Committee to consider the same and decide on merits and in accordance with law as early as possible, preferably within a period of three months from the date of receipt of such applications, made in the prescribed format.

8. With these observations and directions, this writ petition stands disposed of. There shall be no order as to costs. Consequently, W.M.P.No.23975 of 2024 is closed."

3. In view of the above, there shall be a similar order in these writ petitions also. Accordingly, these writ petitions are disposed of. There shall be no order as to costs. Consequently, W.M.P.Nos.11681 of 2021, 25859, 25862, 19411 & 19412 of 2022, 32620, 32621, 34680, 35820 & 36504 of 2019, 5863 & 5866 of 2021 and 606 of 2020 are closed.

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

Neutral Citation:Yes/No
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To:

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R. SURESH KUMAR, J.
AND
A.D.JAGADISH CHANDIRA, J.
(drm)

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