



W.P(MD)No.18496 of 2020

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 10.01.2024

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**THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN**

W.P(MD)No.18496 of 2020

and

W.M.P.(MD)No.16568 of 2021

C.Jeyachandran

... Petitioner

**Vs.**

1.The District Collector,  
Virudhunagar District,  
Virudhunagar.

2.The Assistant Divisional Engineer,  
Construction and Maintenance,  
Department of State Highways,  
Virudhunagar District.

3.The Commissioner,  
Virudhunagar Municipality,  
Virudhunagar District.

... Respondents

**Prayer** : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus, to call for the records on the file of the 2nd respondent in Na.Ka.No. 189/2020/ENeVa/dated 18.11.2020 and quash the same as illegal, consequently, direct the respondents to consider my representation dt.12.11.2020 as per the provisions of the street Vendors (Protection of Livelihood Regulation) Act, 2014 and till such time not to disturb with the running of my roadside eatery shop namely Hotel Guru at T.S.No.1/1, Ward No. 6, North Car Street, Virudhunagar.



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For Petitioner : Mr.M.Jegadeesh Pandian

For Respondent : Mr.M.Lingadurai  
Special Government Pleader for R1 & R2

: Mr.V.Jeya Prakash Narayanan  
for Mr.K.P.Krishna Doss for R3

### **ORDER**

Heard both sides.

2. The petitioner is a physically challenged individual. He is eking out his livelihood by conducting a hotel business on the road side (idli shop). The second respondent had informed the petitioner that the site on which he is carrying on his business, has been selected for installing a Aavin milk booth. It appears that there would still be a place to accommodate the petitioner herein. The second respondent is willing to consider the petitioner's request.

3. I am of the view that interference of the impugned communication is not warranted. The petitioner is permitted to submit an application before the second respondent for appropriately accommodating the petitioner and it is for the second respondent to take a call in matter. Be that as it may, the petitioner's rights as street vendor will have to be taken care by the street vending committee.



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4. With this observation, the Writ Petition is disposed of accordingly. No costs. Consequently, connected miscellaneous petition is closed.

**10.01.2024**

Index : Yes / No  
Internet : Yes/ No  
rmi

To

- 1.The District Collector,  
Virudhunagar District,  
Virudhunagar.
- 2.The Assistant Divisional Engineer,  
Construction and Maintenance,  
Department of State Highways,  
Virudhunagar District.



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**G.R.SWAMINATHAN, J.**

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