



WP(MD)Nos.7302 of 2018, 18445 of 2019

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 18.03.2024

CORAM:

THE HONOURABLE MR.JUSTICE B.PUGALENDHI

WP(MD)Nos.7302 of 2018, 18445 of 2019
and
WMP(MD)Nos.6991 of 2018, 14879 of 2019

WP(MD)No.7302 of 2018:-

Dindigul District Salaiyoram
Small Merchant Labour Association
[Registration No.391/DGL]
Rep. by its Secretary
A.Pitchaimuthu

.. Petitioner

v.

- 1.The District Collector,
Dindigul District,
Dindigul.
- 2.The Deputy Superintendent of Police,
Nilakottai,
Dindigul District.
- 3.The Assistant Divisional Engineer,
National Highway,
Batlagundu,
Dindigul District.



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4.The Executive Officer,
Nilakottai Town Panchayat,
Nilakottai,
Dindigul District.

.. Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India seeking issuance of a Writ of Mandamus directing the respondents to permit the petitioner's schedule members to continue their business in their respective places and not to disturb and dispossess the petitioner's schedule members from their respective places from doing their business (hawkers) of selling of petty shop, groundnut and fruits stall in the road margin of National Highway of Periyakulam Road in Nilakottai Town Panchayat, Dindigul District and to issue identity card to the petitioner's members, by considering the petitioner's representation dated 20.03.2018, within a stipulated time limit.

For Petitioner : Mr.A.Haja Mohideen

For Respondents : Mrs.D.Farjana Ghoushia,
Special Government Pleader



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WP(MD)No.18445 of 2019:-

1.B.Chinnaraja

2.Anusuya

3.Selvam

4.Rajamanickam

5.Chellappandi

6.K.Vijayan

7.Saravanan

8.Mohan

9.Seeniyammal

10.Chinnammal

.. Petitioners

v.

1.The District Collector,
Dindigul District,
Dindigul.

2.The Assistant Divisional Engineer,
National Highway,
Batlagundu,
Dindigul District.



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3.The Executive Officer,
Nilakottai Town Panchayat,
Nilakottai,
Dindigul District.

4.Bose

5.Kalarani

.. Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India seeking issuance of a Writ of Mandamus directing the respondents 1 to 3 not to evict the petitioners from their respective place of business (Hawkers) as Street Vendors, in Madurai Batlagundu Road, on the east of the entrance of Market Complex, Nilakottai Town, Dindigul District, at the instigation of the respondents 4 & 5, by considering the petitioners' representation dated 07.08.2019.

For Petitioners : Mr.A.Haja Mohideen

For Respondents : Mrs.D.Farjana Ghoushia,
Special Government Pleader
for R.1 to R.3

No appearance for R.4, R.5



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COMMON ORDER

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The writ petition in WP(MD)No.7302 of 2018 is filed by an Association and the writ petition in WP(MD)No.18445 of 2019 is filed by individual persons. They are Street Hawkers selling fruits, vegetables, etc., in the Market Complex of Nilakottai Town as well as in the road margin of National Highway of Periyakulam Road in Nilakottai Town Panchayat, Dindigul District. They have filed these writ petitions not to disturb them and also for permitting them to continue with their business in the respective places.

2.When the writ petitions came up for hearing today, learned Special Government Pleader, based on the written instructions, submitted that 117 persons have been identified as Street Vendors in Nilakottai Taluk of Dindigul District and they have also been issued with identity cards by the Committee.



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3.As per the Tamil Nadu Street Vendors (Protection of Livelihood and Regulation of Street Vending) Scheme and Rules, 2015, a Committee has to be constituted, vending and non-vending zones have to be identified. The Committee has to identify the street vendors and issue necessary identity cards to them.

4.In view of the submission made by the learned Special Government Pleader that the Committee has been constituted and they have also identified and issued identity cards to the Street Vendors, these writ petitions are disposed of, with liberty to the petitioners to approach the Committee, individually, for issuance of identity cards, if they have not been provided with already. In the event, if any of the petitioners approaches the Committee constituted under the Act for issuance of identity cards, the Committee shall consider their case as to whether they are coming under the eligibility criteria as per the Act and proceed accordingly.



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There shall be no order as to costs. Consequently, connected miscellaneous petitions are closed.

Index : Yes / No
NCC : Yes / No
Internet : Yes
gk

18.03.2024

To

- 1.The District Collector,
Dindigul District,
Dindigul.
- 2.The Deputy Superintendent of Police,
Nilakottai,
Dindigul District.
- 3.The Assistant Divisional Engineer,
National Highway,
Batlagundu,
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- 4.The Executive Officer,
Nilakottai Town Panchayat,
Nilakottai,
Dindigul District.



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B.PUGALENDHI, J.

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