



W.P.(MD)No.20576 of 2024

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 10.09.2024

CORAM:

**THE HON'BLE MR. JUSTICE D.KRISHNAKUMAR,
ACTING CHIEF JUSTICE
AND
THE HON'BLE MR JUSTICE R.VIJAYAKUMAR**

W.P.(MD)No.20576 of 2024

P.Selvam

.. Petitioner

vs.

The Commissioner,
Palani Municipality,
Palani, Dindigul-624 601.

.. Respondent

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying for a Writ of Certiorarified Mandamus to call for the records of the respondent's impugned Notice in Na.Ka.No.1168/2024/F1 dated 08.04.2024 and quash the same as devoid of merits and consequently directing the respondent to allot more Vending Zones in Palani Municipality as alternative zone for Giriveethi, Aruljothi Veethi, Idumban Itteri Road, Aandavan Park Road Roudana, Mayilvagana Madam for the Street Vendors under Sections 13, 18 of the Street Vendors (Protection of Livelihood and Regulation of Street Vending) Act, 2014 and under Section 13(b)(d) of the Tamil Nadu Street Vendors (Protection of Livelihood and Regulation of Street Vending) Scheme and Rules, 2015, within the period stipulated by this Court.

For Petitioner : Mr.Haja Mohideen A.

For Respondents : Mr.P.Wilson, Senior Counsel



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for Mr.L.P.Maurya

ORDER

[Order of the Court was made by *D.KRISHNAKUMAR, J.*]

This Writ Petition has been filed challenging the respondent's impugned Notice in Na.Ka.No.1168/2024/F1 dated 08.04.2024 and quash the same as devoid of merits and consequently directing the respondent to allot more Vending Zones in Palani Municipality as alternative zone for Giriveethi, Aruljothi Veethi, Idumban Itteri Road, Aandavan Park Road Roudana, Mayilvagana Madam for the Street Vendors under Sections 13, 18 of the Street Vendors (Protection of Livelihood and Regulation of Street Vending) Act, 2014 and under Section 13(b) (d) of the Tamil Nadu Street Vendors (Protection of Livelihood and Regulation of Street Vending) Scheme and Rules, 2015, within the period stipulated by this Court.

2. The learned counsel for the petitioner fairly stated before this Court that the petitioner is now concerned only with regard to providing alternative accommodation in Giriveedhi, Palani.

3. The issue is no longer res integra in the light of the Division Bench



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decision of this Court in ***Dindigul Mavatta Salaiyora Siru Virpanaiyalar Tholilar Sangam v. The Principal Secretary to Government, Department of Municipal Administration, Chennai and others [W.P.(MD)No.3744 of 2024 dated 20.02.2024]***. Further, as per G.O.(4D)No.5, Municipal Administration and Water Supply (M.C.1) Department dated 05.10.2016, constituting the Town Vending Committee, aggrieved person can approach the Town Vending Committee seeking for alternative accommodation.

4. In view of the above, the writ petition is liable to be dismissed. If the petitioner seeks for alternative accommodation in the municipal lands, he can approach the Town Vending Committee along with relevant certificates and on such request made, the Town Vending Committee will consider the same and pass appropriate orders in accordance with law. No costs.

(D.K.K., ACJ.) (R.V., J.)
10.09.2024

Intex : Yes/No
Internet : Yes/No
Jvm

D.KRISHNAKUMAR, ACJ.
and
R.VIJAYAKUMAR, J.



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To
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Palani Municipality,
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