



WEB COPY



W.P.No.35160 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 19.03.2025

CORAM

THE HONOURABLE Mr JUSTICE R. SURESH KUMAR

AND

THE HONOURABLE Mr.JUSTICE A.D. JAGADISH CHANDIRA

W.P.No.35160 of 2024

Pandiselvi

.. Petitioner

Vs.

The Commissioner
Avadi City Municipal Corporation
391, New Military Road
Vivekananda Nagar
TNHB MIG V Block
Avadi, Chennai 600 071

.. Respondent

Writ Petition filed under Article 226 of the Constitution of India, praying for issuance of a writ of mandamus directing the respondent to consider and pass orders on the petitioner's representation dated 17.05.2024 made for grant of permission/certificate of vending and till such time not to interfere with the running of the petitioner's bunk shop opposite to Siva Sweets & Bakery, CTH Road, Avadi, Chennai 600 054, wherein selling tea, coffee, snacks and other food items.



WEB COPY



W.P.No.35160 of 2024

For Petitioner : Mr.R.Kamaraj
For Respondent : Mr.R.Ayyappan
for Mr.RA.Gopinath
Standing Counsel

ORDER

(Made by R. SURESH KUMAR, J.)

The prayer sought in this writ petition is for a direction to the respondent Municipal Corporation to consider the petitioner's representation dated 17.05.2024 and also for a direction to the respondent Municipal Corporation not to interfere with the running of the petitioner's bunk shop, till a decision is taken on her representation.

2. When this matter came up for admission on 17.02.2025, we directed notice to the respondent through Court as well as privately returnable in two weeks, pursuant to which, notice has been served on the respondent Municipal Corporation. Thereafter, after a period of four weeks *i.e.*, today, the matter has been again listed before this Special Bench, where, Mr.R.Ayyappan, learned counsel representing Mr.RA.Gopinath, learned Standing Counsel for the



W.P.No.35160 of 2024

respondent Municipal Corporation, seeks adjournment. Absolutely, there has been no progress shown on behalf of the respondent Municipal Corporation, despite notice having been served already on the plea raised in this writ petition.

3. On the other hand, it is the contention of the petitioner's counsel that the petitioner is already running a bunk shop as street vending and to that effect, for grant of permission or certificate of vending, a representation has been given on 17.05.2024 and since the same has not been considered and disposed, the present writ petition has been filed.

4. Having taken note of the above aspects, we are inclined to dispose of this writ petition with the following directions :

- i. The representation dated 17.05.2024 given by the petitioner shall be considered and decided by the respondent Municipal Corporation, within a period of two weeks from the date of receipt of a copy of this order.
- ii. Depending upon the outcome of the decision to be taken by the respondent Municipal Corporation, the continuance of the bunk shop or otherwise of the petitioner, could be decided. It is made clear that if the place where the petitioner claimed to have been



WEB COPY



W.P.No.35160 of 2024

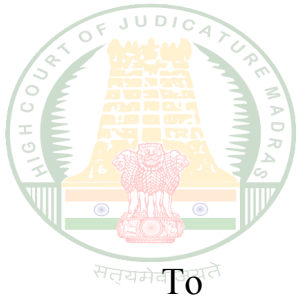
running the bunk shop comes within the Vending Zone, there could be no further impediment for considering the request of the petitioner, otherwise, any alternative place also can be suggested to have the bunk shop to continue her business in any Vending Zone to be declared in this regard by the Town Vending Committee of the respondent Municipal Corporation.

With the above direction and observation, this writ petition stands disposed of. No costs.

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

19.03.2025

Index : Yes/No
Netural Citation : Yes/No
gya



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