



WP(MD). No.580 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED : 08.01.2025

CORAM

THE HONOURABLE MR.JUSTICE M.S. RAMESH
AND
THE HONOURABLE Dr.JUSTICE A.D.MARIA CLETE

WP(MD). No.580 of 2025

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 issuance of a Writ of Mandamus directing the respondent to select the Vending Committee for Palani Municipality Street Vendors as per the Circular of Municipal Administration Department dated 08.09.2023 under Section 22 of the Street Vendors (Protection of Livelihood and Regulations of Street Vending) Act 2014 by considering the representation of the Association dated 05.02.2024 within a period stipulated by this Court.

For Petitioner : Mr.A.Haja Mohideen
For Respondent : Mr.L.P.Maurya



WP(MD). No.580 of 2025

WEB COPY

ORDER

(Order of the Court was made by M.S.RAMESH,J.)

By consent of both sides, the writ petition itself is taken up for final disposal at the stage of admission itself.

2. The petitioner has filed this writ petition for a mandamus to direct the respondent to select the Vending Committee for Palani Municipality Street Vendors as per the Circular of Municipal Administration Department dated 08.09.2023 under Section 22 of the Street Vendors (Protection of Livelihood and Regulations of Street Vending) Act 2014 by considering the representation of the Association dated 05.02.2024 within a period stipulated by this Court.

3. For selecting the vending committee for the respondent Municipality, the petitioner has given a representation to the respondent on 05.02.2024. Since the said representation has not been considered so far, the petitioner is before this Court with this petition.



WP(MD). No.580 of 2025

4. It is needless to point out that whenever a representation of this nature is made to Statutory Authorities, there is a duty cast upon them to consider the same on its own merits and pass appropriate orders in one way or other, instead of keeping the same pending indefinitely. As such, non-consideration of the representation by the Statutory Authority would amount to dereliction of duty and hence, this Court will be justified in invoking its extraordinary powers under Article 226 of the Constitution of the India and direct them to consider the same within a stipulated time.

5. In the light of the above observations, there shall be a direction to the respondent herein to consider the petitioner's representation dated 05.02.2024 on its own merits and pass appropriate orders in accordance with law, after giving due opportunity to the petitioner as well as other persons, who may be interested in the subject matter, within a period of three months from the date of receipt of a copy of this order. It is made clear that this Court has not expressed any of its views with regard to the merits of the matter and that it is open to the concerned respondents to consider the same on its own merits.



WP(MD). No.580 of 2025

6. With the above direction, the Writ Petition stands disposed of.

No costs.

[M.S.R.,J]

[A.D.M.C.,J]

08.01.2025

NCC : Yes/No
Index : Yes/No

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WEB COPY



WP(MD). No.580 of 2025

M.S. RAMESH, J.
AND
A.D.MARIA CLETE, J.

RR

ORDER
IN
WP(MD) No.580 of 2025

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