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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 04.02.2026

CORAM :

THE HONOURABLE MR.JUSTICE R. SURESH KUMAR
AND
THE HONOURABLE MR.JUSTICE A.D.JAGADISH CHANDIRA

W.P.No.39830 of 2025

1. P.Raja
2. R.Latha
3. R.Perumal Raja
4. R.Ganesh @ Rajarajan
5. R.Kalpana
6. R.Sekar .. Petitioners

Vs.

1. Director of Municipal Administration
   Commissionerate of Municipal Administration
   No.75, Urban Administrative Building
   Santhome High Road, MRC Nagar
   Raja Annamalaipuram, Chennai – 600 028.

2. The District Collector
   Cuddalore District
   First Floor, New Collectorate Building
   Manjakuppam, Cuddalore – 607 001.

3. The Commissioner
   Cuddalore City Municipal Corporation
   Bharathi Road, Sorakalpattu
   Cuddalore – 607 001.

4. The Zonal Assistant Engineer
   Zone – I, Cuddalore City Municipal Corporation
   Cuddalore District – 607 001. .. Respondents

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Prayer: Petition under Article 226 of the Constitution of India, praying for issuance of writ of mandamus, directing respondents 1 to 4 to evict the illegal occupants/encroachers/street hawkers forthwith from the pavements occupied on Lawrence Road, Thirupapuliyur, Cuddalore which obstruct the use by the public and affect the business and livelihood of licensed shop owners of the petitioners commercial buildings.

For Petitioner : Mr.T.Balaji

For Respondents : Mr.A.Selvendran
Special Government Pleader
for R1 and R2

Mr.P.Srinivas
Standing Counsel
for R3 and R4

ORDER

(Order of the Court was made by R.SURESH KUMAR, J.)

Prayer sought in the present writ petition is for a writ of mandamus, to direct respondents 1 to 4 to evict the illegal occupants/encroachers/street hawkers forthwith from the pavements occupied on Lawrence Road, Thirupapuliyur, Cuddalore, which obstruct the use by the public and affect the business and livelihood of licensed shop owners of the petitioners' commercial buildings.

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2. Heard *Mr.T.Balaji*, learned counsel for the petitioners, *Mr.A.Selvendran*, learned Special Government Pleader for respondents 1 and 2 and *Mr.P.Srinivas*, learned Standing Counsel for respondents 3 and 4 Municipal Corporation.

3. During the last hearing, it was stated by the learned Standing Counsel appearing for the respondents 3 and 4 that, the Town Vending Committee's meeting would be conducted on 20.01.2026, where, a decision would be taken as to whether the particular road, called the Lawrence Road, at Cuddalore Municipality would be a Vending Zone or a Non-Vending Zone and depending upon the decision to be taken by the Town Vending Committee, further course of action would be taken and it would be intimated before this Court.

4. Accordingly, when the case is taken up for hearing today, *Mr.P.Srinivas*, learned Standing Counsel appearing for respondents 3 and 4 has filed a copy of the Minutes of the Town Vending Committee's meeting dated 20.01.2026, where, *inter alia*, the following has been stated:-

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"7. அதன்படி, லாரன்ஸ்சாலையில் உள்ள சாலையோர வியாபாரிகளுக்கு மாற்று இடமாக கம்மியம்பேட்டை பைபாஸ்சாலையில் உள்ள இடத்தை விற்பனை செய்வதற்கேற்ப சீரமைத்துத்தரப்படுவது குறித்து பரிசீலிக்கப்படும் என்ற விவரம் ஆணையாரால் தெரிவிக்கப்பட்டது.

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விற்பனை தடை செய்யப்படும் பகுதிகள் (No-Vending Zones)

I. நெல்லிக்குப்பம் மெயின் ரோடு (சாலை சந்திப்பிலிருந்து 50மீ. வரையிலும் அரசு மருத்துவமனையிலிருந்து 200மீ. வரையிலும்)

II. லாரன்ஸ் சாலை

III. குண்டுசாலை ரோடு (சாலை சந்திப்பிலிருந்து 50மீ. வரையிலும் மாவட்ட ஆட்சியர்அலுவலகத்திலிருந்து 200மீ. வரையிலும்)

IV. வெள்ளி கடற்கரை சாலை (சாலை சந்திப்பிலிருந்து 50மீ. வரையிலும் தீயணைப்புஅலுவலகத்திலிருந்து 200மீ. வரையிலும்)

V. வெள்ளி கடற்கரை சாலை (மணல் பகுதி - Beach Area)

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VI. திருப்பாதிரிப்புலியூர் பதிவுத்துறை அலுவலகம் முன்

VII. மாநகராட்சி அலுவலகம் முன்

VIII. பழைய ஆட்சியா˙ அலுவலகச்சாலை (மைதானம் பக்கம்)"

5. Relying upon the Minutes of the Town Vending Committee's meeting, the learned Standing Counsel for the Municipality would contend that, in that meeting, the number of Vending Zones and the number of Non-Vending Zones at Cuddalore, having been identified, has been declared. Insofar as the Non-Vending Zones are concerned, eight such areas have been identified to be declared to be Non-Vending Zones. Among the eight Non-Vending Zones, the stretch of Lawrence Road also has been declared to be a Non-Vending Zone, hence, whatever the Street Vending business or hawkers business, that could only be considered as encroachments in the Lawrence Road and by providing an alternative place for those Street Vendors, either at Kammiyampettai By-Pass Road or at any other suitable place, those Street Vendors presently located at the entire stretch of the Lawrence Road would be removed within a time frame to be stipulated by this Court.

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6. Having regard to the said submissions made by the learned Standing Counsel appearing for the respondent Municipality and after having gone through the Minutes of the meeting of the Town Vending Committee dated 20.01.2026, where the said Lawrence Road also having been declared to be a Non-Vending Zone, no hawking activities could be permitted anywhere in the said Road. Therefore, suitable action has to be taken by the respondent Municipality to remove such hawkers fully and it is open to the Municipality to identify any alternative place for those hawkers by removing them from the Lawrence Road, for their rehabilitation by providing any other alternate vending area.

7. It is to be noted that the Lawrence Road is one of the main arterial roads, having direct access with the Cuddalore Bus Stand and large number of buses since are being plied, it would be very difficult to have negotiation with large number of businesses in the same road when the road margins are occupied by the hawkers on both side.

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8. Since it is being one of the busy localities, where, more commercial establishments on permanent basis are made, allowing any hawking activities, either on the platform or on the road margin, would be a hindrance to the pedestrians as well as to the vehicular movement. Therefore, immediate action shall be taken by the Municipal Authorities to remove all such hawkers located on the Lawrence Road in the Cuddalore Municipality. The aforesaid exercise shall be complied and a report be filed before this Court by the Cuddalore Municipality within a period of one month from the date of receipt of a copy of this order.

9. Accordingly, this petition is disposed of. There shall be no order as to costs. W.M.P.No.44746 of 2025, petition filed seeking permission to file a single writ petition, stands ordered, inasmuch as the petitioners have paid separate set of court fees.

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10. Post the present writ petition on 05.03.2026 for reporting compliance.

(R.S.K., J.) (A.D.J.C., J)
04.02.2026

Speaking Order/Non-Speaking Order
Neutral Citation:Yes/No
Internet:Yes/No
Index:Yes/No

(*drm*)

Note: Issue order copy on 02.03.2026.

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