

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT****Dated : 01.09.2017****CORAM :****THE HONOURABLE MR.JUSTICE K.K.SASIDHARAN  
AND  
THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN****W.P(MD)No.20612 of 2015  
and  
M.P. (MD) Nos.1 and 2 of 2015**

C.Eswari

... Petitioner

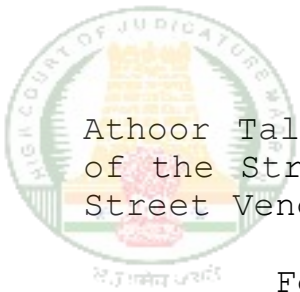
Vs.

1. The District Collector,  
Dindigul District  
Dindigul.
2. The Superintendent of Police,  
Dindigul District,  
Dindigul.
3. The Inspector of Police,  
Thandikudi Police Station,  
Dindigul District.
4. The Additional Divisional Engineer,  
Highways Department,  
(Maintenance and Construction)  
Athoor, Dindigul District.
5. The President,  
Manalur Village Panchayat,  
Perumbarai, Athoor Taluk,  
Dindigul District.

6.Chitra

... Respondents

**Prayer :** Petition filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Certiorarified Mandamus, to call for records pertaining to the proceedings of the 4<sup>th</sup> respondent in Memorandum No.Encroachment/2015/dated 11.11.2015 and quash the same as illegal and consequently direct the 1<sup>st</sup> respondent to provide protection to the petitioner for carrying on petitioner's petty mobile shop business in the Village Road proamboke comprised in Survey No.73, Manalur Village, Perumbarai,



Athoor Taluk, Dindigul District in consonance with the provisions of the Street Vendors (Protection of Livelihood and Regulation of Street Vending) Act, 2014.

For Petitioner : Mr.J.Lawrance

For Respondents : Mr.M.Govindan,  
Special Government Pleader  
for RR1 to 5  
Mr.R.Murugan for R6

**O R D E R**

**(Order of the Court was made by G.R.SWAMINATHAN, J.)**

The writ petitioner is eking out her livelihood by vending with the aid of a mobile cart. The fourth respondent herein issued the impugned notice dated 11.11.2015, calling upon the writ petitioner to remove the said encroachment.

2.It is seen that the sixth respondent has already moved the civil Court in O.S.No.419 of 2015 on the file of the District Munsif, Dindigul. It is for the sixth respondent to pursue her remedies against the writ petitioner in the said civil proceedings.

3.In such view of the matter, this Court quashes the impugned memorandum dated 11.11.2015 issued by the fourth respondent. The learned counsel for the petitioner states that the petitioner has not put up any construction temporary or permanent. All that she is having is only a mobile cart. She is not in any way an obstruction to the road traffic. This submission of the learned counsel for the petitioner is placed on record.

4.The writ petition is allowed as indicated above. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar(P&A)

/True Copy/

Sub Assistant Registrar

To

1. The District Collector,  
Dindigul District  
Dindigul.

2. The Superintendent of Police,  
Dindigul District,  
Dindigul.



3. The Inspector of Police,  
Thandikudi Police Station,  
Dindigul District.

4. The Additional Divisional Engineer,  
Highways Department,  
(Maintenance and Construction)  
Athoor, Dindigul District.

5. The President,  
Manalur Village Panchayat,  
Perumbarai, Athoor Taluk,  
Dindigul District.

+1 cc to Mr.J.Lawrance, Advocate, SR.No. 76033

+1 cc to The Special Government Pleader in SR.No. 76244

Arul/Skm

AE/MR KKR/SAR1/28.09.2017/3P/8C

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and  
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