

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 04.07.2022

CORAM :

THE HON'BLE MR.MUNISHWAR NATH BHANDARI, CHIEF JUSTICE
AND
THE HON'BLE MRS.JUSTICE N.MALA

Contempt Petition No.1152 of 2016
&
Writ Petition No.16255 of 2018

K.R.Ramaswamy alias
Traffic Ramaswamy (Deceased)
Vaikunth Kasthurirangan

...Petitioner in both

Vs.

- 1.Gnanadesigan
Chief Secretary to Government
Fort St. George,
Chennai 9.
- 2.Pannendra Reddy
Secretary to Government
Municipal Administration Department
Fort St. George,
Chennai 9.
- 3.Vikram Kapoor
Commissioner
Corporation of Chennai
Rippon Buildings,
Chennai 3.
- 4.T.K.Rajendran
Commissioner of Police
Greater Chennai City
Vepery, Chennai 7.
- 5.Abey Kumar Singh
Additional Commissioner of Police
Chennai City Traffic,
Chennai City
Vepery, Chennai 7.

...Respondents in
Contempt Petition

- 1.The Chief Secretary
Government of Tamil Nadu²
Secretariat, St. George Fort
Chennai 600 009.
- 2.The Secretary
Municipal Administration &
Water Supply Department
Government of Tamil Nadu
Secretariat, St. George Fort
Chennai 600 009.
- 3.The Commissioner
Chennai Corporation
Greater Chennai Corporation
Rippon Buildings,
Chennai 3.
- 4.The Commissioner of Police
EVR High Road, Vepery
Chennai 600 008.
- 5.The Additional Commissioner of Police (Traffic)
EVR High Road,
Vepery
Chennai 600 008.
- 6.Assistant Revenue Officer - Zone 5
Corporation of Chennai
Basin Bridge Road
Chennai 79.
- 7.Zonal Officer - Zone 5
Corporation of Chennai
Basin Bridge Road,
Chennai 79.

...Respondents in W.P.

Prayer : Contempt Petition filed under Section 11 of the Contempt of Courts Act, 1971 to punish the respondent for willful disobedience and violation of the order dated 13.10.2015 made in W.P.No.32622 of 2015.

Writ Petition under Article 226 of the Constitution of India praying for a writ of Mandamus to cancel / revoke the license to do vending activity / identify card issued by the Chennai Corporation to the illegal hawkers / encroachers at NSC Bose Road against the orders of this Court in W.P.No.32622 of 2015 and Cont.P.No.1152 of 2016.

For the Petitioner : Mr.S.Ganesan
For the Respondents : Mr.J.Ravindran
Additional Advocate General
Assisted by
Mr.A.Selvendran
Special Government Pleader
for RR 1,2,4 & 5
in Cont.P. & WP

Mr.K.Raja Srinivas
Standing Counsel
for R3 in Cont.P. & WP
for R6 & R7 in WP

ORDER

(Order of the Court was made by the Hon'ble Chief Justice)

A perusal of the CCTV footage in Court would show that the respondents have not permitted any hawking in NSC Bose Road, in compliance of the order. Thus, compliance has been made.

2. It is submitted that the exercise taken by the respondents in not allowing hawking in NSC Bose Road may continue for sometime and it may recur in the future. Therefore, the additional CCTV cameras installed by the respondents should continue to operate and should be regularly monitored by the Commissioner, Chennai Corporation and the Inspector of Police concerned to ensure that no hawking is permitted in NSC Bose Road, which is declared to be a non hawking zone.

3. In view of the above, while closing the petition, a liberty is given to seek revival of the contempt or to file a fresh writ petition, in case hawking takes place in the future.

4. With the aforesaid order and with a direction to the respondents to continue the operation of additional security cameras, this contempt petition is closed. The contemnors are discharged. Sub.A.No.256 of 2019 is closed.

5. As regards the writ petition, since the illegal hawkers were removed, nothing survives and accordingly, the writ petition is closed. There will be no order as to costs. Consequently, WMP Nos.19358 and 21907 of 2018 are also closed.

Sd/-
Deputy Registrar(CS)

// True Copy //

Sub Assistant Registrar

kpl

To

- 1.The Chief Secretary
Government of Tamil Nadu,
Secretariat, St. George Fort,
Chennai 600 009.
- 2.The Secretary
Municipal Administration &
Water Supply Department
Government of Tamil Nadu
Secretariat, St. George Fort,
Chennai 600 009.
- 3.The Commissioner
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Corporation of Chennai
Basin Bridge Road, Chennai 79.

Cont.P.No. 1152 of 2016 &
W.P.No.16255 of 2018

JPL(CO)
RVM(21/07/2022)