



WP(MD)No.11105 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 07.06.2024

CORAM:

THE HONOURABLE MR.JUSTICE B.PUGALENDHI

WP(MD)No.11105 of 2024 and
WMP(MD) No.9898 of 2024

K.Velu

... Petitioner

Vs.

1.The Superintendent of Police,
Kanyakumari,
At Nagercoil.

2.The Inspector of Police,
Kanyakumari Police Station,
Kanyakumari District.

3.Mr.Naepolean,
The Inspector of Police,
Kanyakumari Police Station,
Kanyakumari District.

...Respondents

PRAYER : Writ Petition filed under Article 226 of the Constitution of India, praying for the issuance of a Writ of Mandamus, to direct the third respondent not to interfere with the petitioner's business by considering the representation of the petitioner, dated 03.05.2024 within a time frame that may be fixed by this Court.



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For Petitioner : Mr.SC.Herold Singh
For Respondents :Mr.P.Kottaichamy
Government Advocate (Crl.side)
ORDER

The petitioner has approached this Court to direct the third respondent not to interfere with the petitioner's business by considering his representation, dated 03.05.2024

2.The case of the petitioner is that he is selling edible items like, mango, tender coconut, corn, water bottles etc., on the back side of Bagavathi Amman Temple, Triveni Sangamam at Kanyakumari. The petitioner's entire family is depending upon the income derived from the above business. While so, the third respondent is causing hindrance to the petitioner's business by threatening him. Hence, this petition.

3.The learned Government Advocate(Crl.side) appearing for the respondents submits that the petitioner, without getting any permission from the Local Authority has put up a shop and causing nuisance to the



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devotees, who visit the Bagavathi Amman Temple, Triveni Sangamam at Kanyakumari.

4.In reply, the learned counsel for the petitioner submits that not only the petitioner, but also 100 other vendors are selling some eatable near the Bagavathi Amman Temple in a similar manner. However, the respondents are targeting the petitioner alone.

5.This Court considered the rival submissions made.

6.After enactment of the Street Vendors(Protection of Livelihood and Regulation of Street Vending Act, 2014, there cannot be any street vendor in a public street without authorisation of the Local Authority. The Act, not only aims at fostering a congenial environment for the urban street vendors to carry out their activities without harassment from any quarter, but also regulates street vendors in public areas. The respondents are having every right to ensure the free flow of traffic for the pilgrims and tourists, who visit the Bagavathi Amman Temple, Triveni



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Sangamam at Kanyakumari.

7.In view of the above, this writ petition is dismissed. No costs. Consequently, connected Miscellaneous Petition is closed.

07.06.2024

Index :Yes/No
Internet : Yes/No
vrn

To

- 1.The Superintendent of Police,
Kanyakumari,
At Nagercoil.
- 2.The Inspector of Police,
Kanyakumari Police Station,
Kanyakumari District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court.
Madurai.



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B.PUGALENDHI,J.

vrn

Order made in
WP(MD)No.11105 of 2024 and
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