



W.P.No.12808 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

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DATED : 10.09.2025

CORAM

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

W.P.No.12808 of 2025
and
W.M.P.No.14354 of 2025

K.Nagarani

.. Petitioner

Vs.

1. The District Collector,
Office of the Collectorate,
Thiruvannamalai District.

2. The Commissioner,
Thiruvathipuram Town,
Thiruvannamalai District.

3. Venda

.. Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying for issuance of a writ of certiorarified mandamus, to call for the records of the second respondent in proceeding No.Na.Ka.167/2025/F1 dated 28.02.2025 and quash the same and direct the respondents not to evict the petitioner from the place.

For Petitioner : Ms.M.Gajalakshmi

For Respondents : Mr.V.Manoharan
Additional Government Pleader for R1
Mr.P.Srinivas
Standing Counsel for R2
No appearance for R3



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ORDER

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

This writ petition has been filed seeking for a writ of certiorarified mandamus to call for the records of the second respondent in proceedings No.Na.Ka.167/2025/F1 dated 28.02.2025 and quash the same and direct the respondents not to evict the petitioner from the place.

2. The petitioner has already been given an Identification Card to have a street vending business at the Town Vending area of the second respondent Municipality. Pursuant to the said permission, the petitioner claimed to have been running a street vending business by having a pushcart. However, on the basis of the complaint said to have been given by the third respondent who is having permanent shop in that locality, that pushcart was removed by the second respondent Municipality and by proceedings dated 28.02.2025, they have cancelled the Identification Card issued to the petitioner. Challenging the said order, the present writ petition has been filed.

3. Heard Ms.G.Gajalakshmi, learned counsel appearing for the petitioner, who, would submit that the petitioner was running only a street vending

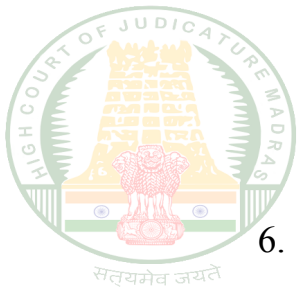


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business with the help of pushcart alone. However, the third respondent being the permanent shop owner wanted to encroach upon the road margin also by extending the shop, thereby, she wanted to push out the pushcart of the petitioner and that is why at first instance, the second respondent Municipality has cancelled the Identification Card given to the petitioner through the impugned order.

4. Heard Mr.V.Manoharan, learned Additional Government Pleader appearing for the first respondent and Mr.P.Srinivas, learned Standing Counsel appearing for the second respondent.

5. Mr.P.Srinivas, learned Standing Counsel appearing for the second respondent, on instructions, would submit that, the permission has been given by way of Identification Card to the petitioner only to have street vending business through the pushcart and if the same is misused as complained by the third respondent by preventing the ingress and egress of the permanent shop run by the third respondent that would only pave the way for taking such action to cancel the Identification Card of the petitioner through impugned order.



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6. The learned Standing Counsel would further submit that, insofar as running the street vending business of the petitioner by having only pushcart is concerned, the second respondent Municipality has no objection and to that extent, such permission continuously be given to the petitioner.

7. We have considered the said submissions made by the learned counsel appearing for both sides and have perused the materials placed before this Court.

8. In view of the stand that has been taken now by Mr.P.Srinivas, learned Standing Counsel appearing for the second respondent, the impugned order is hereby set aside and the matter is remitted back to the second respondent Municipality with a direction to reconsider the plea of the petitioner by permitting her to have a street vending business only in the permitted area i.e., Vending Zone by way of having pushcart alone.

9. In this context, if the third respondent or any other persons is trying to encroach upon the road margin or street margin belongs to the second respondent and in the guise of making such encroachment if they want to drive away the street vendors like the petitioner, strict action shall be taken against



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such kind of encroachers also by the second respondent with the help of the

WEB COPY Police.

10. With this observation and direction, this Writ Petition is allowed accordingly. However, there shall be no order as to costs. Consequently, connected miscellaneous petition is closed.

(R.S.K., J.) (A.D.J.C., J.)
10.09.2025

NCC : Yes / No
Index : Yes / No
Speaking Order : Yes / No

vji

To

1. The District Collector,
Office of the Collectorate,
Thiruvannamalai District.
2. The Commissioner,
Thiruvathipuram Town,
Thiruvannamalai District.



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