



WEB COPY



WP No. 13076 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 06-08-2025

CORAM

THE HON'BLE MR JUSTICE R. SURESH KUMAR

AND

THE HON'BLE MR JUSTICE A.D.JAGADISH CHANDIRA

W.P No. 13076 of 2025

R.Dinesh

S/o.Ramachandran, No.65, Mint Street, Near To Ramar
Temple, Chennai-600 001.

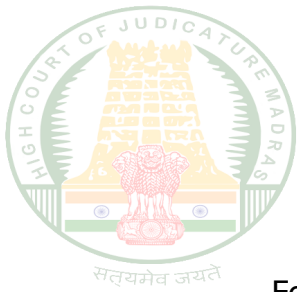
..Petitioner

Vs

1. The Commissioner
Greater Chennai Corporation, Rippon Building,
Chennai-600 003.
2. The Director Of Municipal Administration
Greater Chennai Corporation No.75, Santhome High
Road, Raja Annamalaipuram, Chennai-600 028.
3. The Joint Director (nodal Officer)
Greater Chennai Corporation No.75, Santhome High
Road, Raja Annamalaipuram, Chennai-600 028.
4. The Zonal Officer
Zone-5 (greater Chennai Corporation) No.61, Basin
Bridge Salai, Chennai-600 021.
5. Saraswathy @ Sarasu
W/o.Palani, No.369, 3rd Block, Moseque Street,
Sathyamurthy Nagar, Vyasarpadi,
Chennai-600 039.

..Respondents

Prayer : Writ Petition under Article 226 of the Constitution of India for a Writ of Mandamus directing the respondents 1 to 4 to remove the encroachment flower and fruit street shops lying near the Ramar temple and Shaarave hospital situated at No.65, Mint Street, Chennai-600 001 and to forfeit the 5th respondents ID card issued by the Vending Committee and also to take further necessary action on the 5th respondent for disobedience and continuous public nuisance in accordance with law.



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For Petitioner : Ms.S.B.Priyadarshini
For Respondent : Mr.D.B.R.Prabhu, Standing Counsel
-for R1 and R4
Mr.M.Murali, Government Advocate
-for RR 2 and 3
Mr.B.Venugopal - for R5

ORDER
(Order of the Court was made by R.Suresh Kumar J.)

The prayer sought for in this writ petition is for a Writ of Mandamus directing the respondents 1 to 4 to remove the encroachment flower and fruit street shops lying near the Ramar temple and Shaarave hospital situated at No.65, Mint Street, Chennai-600 001 and to forfeit the 5th respondents ID card issued by the Vending Committee and also to take further necessary action on the 5th respondent for disobedience and continuous public nuisance in accordance with law.

2. Heard Ms.S.B.Priyadarshini, learned counsel for the writ petitioner, Mr.D.B.R.Prabhu, learned Standing Counsel for the respondents 1 and 4, Mr.M.Murali, learned Government Advocate for respondents 2 and 3 and Mr.B.Venugopal, learned counsel for the 5th respondent.

3. It is the case of the writ petitioner that in front of the Ramar Temple and Shaarave Hospital situated at No.65, Mint Street, Chennai 600 001, there has been encroachment in the street by having street vending by the fifth respondent, which has already been removed thrice by the respondent Corporation. Despite that, the



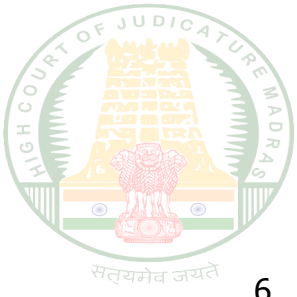
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fifth respondent has once again encroached upon the street by putting up a shop for selling flowers. Therefore, action to be taken against the 5th respondent by the respondents 1 to 4, is the prayer sought for in the writ petition.

4. Mr.D.B.R.Prabhu, learned Standing Counsel appearing for the respondent Corporation, on instructions would submit that, the area is a non-vending zone, where such kind of shops cannot be permitted and earlier at least twice action has been initiated by the respondent Corporation by removing the same, however the fifth respondent has once again put up her street vending business. Therefore, immediate action would be taken by the first respondent to remove the fifth respondent from the locality.

5. However, learned counsel appearing for the fifth respondent would submit that, it is only half an hour in the morning and half an hour in the evening that the flowers are sold by the fifth respondent and there is no shop or street vending in that locality. Learned counsel also states that the fifth respondent is ready and willing to find out a suitable place for her street vending business in the designated vending zone in that locality and in such case, she will make application to the Corporation, and the first respondent Corporation may be directed to consider the same.



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6. Having regard to the submissions made by the learned counsel for the parties and having regard to the facts and circumstances of the case, this Court is inclined to dispose of this writ petition with the following directions.

- The first respondent shall take action and immediately remove the street vending business undertaken by the fifth respondent in the particular area ie., in front of the Ramar Temple and Shaarave Hospital situated at No.65, Mint Street, Chennai 600 001, as the same has already been declared as non-vending zone.
- However, it is open to the fifth respondent to identify a suitable place in any nearby vending zone and make an application to the first respondent Corporation in the prescribed format under Street Vendors (Protection of Livelihood) Act. In such case, the same can be considered by the first respondent Corporation on merits and in accordance with law.

7. With the above observations and directions, this writ petition is disposed of.

No costs.

(R.S.K.,J.) (A.D.J.C.,J.)
06-08-2025

Index: Yes/No
Speaking/Non-speaking order
Neutral Citation: Yes/No

KST



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