



WEB COPY



W.A.No.2301 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 23.07.2025

C O R A M

THE HONOURABLE MRS.JUSTICE J.NISHA BANU
AND
THE HONOURABLE MR.JUSTICE M.JOTHIRAMAN

W.A.No.2301 of 2025 and
C.M.P.No.17574 of 2025

S.Parvathy

... Appellant/Petitioner

-VS-

1. The District Collector,
O/o.The District Collector,
Salem District.
2. The Commissioner of Corporation,
O/o.Salem Municipal Corporation,
Salem District.
3. The Assistant Commissioner of Corporation,
O/o.Zonal Municipal Corporation, Ammapettai,
Salem District.
4. The Special Committee,
(Appointed as per order of this High Court-Madras),
O/o.The Salem Corporation, Salem District.

5. Lokesh @ Lokeshwaran

6. G.Venkatesh

7. N.Gunasekaran

... Respondents/Respondents

Prayer: Writ Appeal is filed under Clause 15 of the Letters Patent, seeking to set aside the order dated 08.08.2024 passed in W.P.No.12433 of 2024.



WEB COPY



W.A.No.2301 of 2025

For Appellant : Mr.G.Munuraj
For R1 : Mr.M.Venkateswaran
Spl. Govt. Pleader
For R2 to R4 : Mrs.N.Devi

ORDER

(By J.Nisha Banu,J.)

A challenge in the Writ Appeal is to the order dated 08.08.2024 passed in W.P.No.12433 of 2024, by which, the Writ Petition was dismissed as devoid of merits.

2. Mr.M.Venkateswaran, learned Special Government Pleader takes notice for the 1st respondent. Mrs.N.Devi, learned Standing Counsel takes notice for R2 to R4. Notice to R5 to R7 is dispensed with, as no adverse order is going to be passed against them in this case. By consent on either side, the Writ Appeal itself is taken up for final disposal at the admission stage.

3. The case of the appellant is that she is a flower vendor and was asked to vacate the place, owing to construction of a new flower market. Some of the vendors approached this Court against the political



W.A.No.2301 of 2025

WEB COPY

high-handedness of persons in W.P.Nos.7746 of 2020, etc., batch, in which this Court constituted a Committee to identify the retail vending space in terms of the object and welfare of primary process and also appointed a Amicus Curiae to look into the allegations stated in the affidavit. The petitioner espoused the cause of other Vendors about the nepotism of the authorities and therefore, she was neglected while allotting shop to others. She made a representation dated 21.04.2024 to the respondents 1 to 3 for allotment of a permanent shop, which was not considered. The Writ Petition filed by the appellant was dismissed by this Court. Aggrieved by the same, the appellant is before this Court.

4. Heard the learned counsel on either side and perused the material documents available on record.

5. The main grievance of the appellant is that there was no allotment of permanent shop in her name. The apprehension of the appellant, that since she raised voice for the welfare of deprived persons, she is not allotted any permanent shop, is misconceived. Learned Single



W.A.No.2301 of 2025

Judge observed that no shop is allotted to anyone permanently. The 5th respondent is said to be a person appointed for collection of rent by awarding licence to him. It may be like Uzhavar Santhai, where farmers used to come and sell their produce. There is no concrete materials produced to substantiate the allegations levelled against the authorities concerned. Moreover, the appellant was allotted a shop in the newly constructed area on temporary basis. Since no decision has been taken by the authorities concerned to allot shops to persons permanently, this Court cannot direct the Official respondents to act in a particular manner contradictorily, as desired by the appellant. Therefore, we do not find any infirmity or illegality in the order of the learned Single Judge and the same deserved to be upheld.

6. Accordingly, *this Writ Appeal is dismissed*. No costs. Consequently, connected Miscellaneous Petition is closed.

(J.N.B.J.) (M.J.R,J.)
23.07.2025

Index: Yes / No
Internet: Yes / No
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