



W.P.No.18327 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 30.06.2025

CORAM

**THE HONOURABLE MR.JUSTICE P.VELMURUGAN**

W.P.No. 18327 of 2025

and

W.M.P.No.20532 of 2025

A.Mohanraj

... Petitioner

Vs.

1. The Commissioner of Police,  
Avadi Commissionarate,  
Avadi, Chennai – 600 054.
2. The State Represented by  
Inspector of Police (L&O),  
T-2, Ambattur Estate Police Station,  
Chennai – 600 058.

... Respondents

**Prayer:** Writ Petition filed under Article 226 of Constitution of India, praying to issue a Writ of Certiorari, calling for the records pertaining to the impugned Notice dated 24.04.2024 issued by the 2<sup>nd</sup> respondent against the petitioner and quash the same.

For Petitioner : Mr.G.Viswanathan



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For Respondents : Dr.C.E.Pratap  
Government Advocate (Crl.Side)

## **ORDER**

This Writ Petition has been filed seeking for issuance of Writ of Certiorari, to call for the records pertaining to the impugned Notice dated 24.04.2024 issued by the 2<sup>nd</sup> respondent against the petitioner and quash the same.

2. Heard the learned counsel on either side and perused the materials available on record.

3. The case of the petitioner is that he is a physically challenged person having permanent disability and he is running a bunk shop at Door No.8, CTH Road, Ambattur Estate, Chennai, for his livelihood. The second respondent-Police, without any basis, issued a notice dated 24.04.2025 to the petitioner to evict his shop. It is further submitted that the Township Vending Committee constituted by the Government of Tamil Nadu alone is the competent authority to decide as to whether the road side vending can be permitted or not in a particular place. However,



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the second respondent-Police is acting at the behest of M/s.NTIT Data Centre, without following any due process of law and issued the said notice. Hence, the petitioner is constrained to file the present petition.

4. Learned Government Advocate (Crl.Side) appearing for the respondents-Police, on instructions, submitted that the Greater Chennai Corporation has taken steps to remove the encroachments in accordance with law and that they sought Police protection. Therefore, the respondents-Police, in order to execute the order of the Corporation, had extended their service and issued impugned notice to the petitioner to vacate his shop.

5. On a perusal of the impugned notice dated 24.04.2025, it is seen that there is a whisper about the reference regarding the local body issued to the petitioner and the second respondent had issued the impugned notice without any authority. Therefore, the impugned notice dated 24.04.2024 is hereby quashed. However, the Commissioner, Greater Chennai Corporation is hereby directed to take action against the



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petitioner, if at all the petitioner is an unauthorised encroacher, in the manner known to law.

6. With the above directions, the Writ Petition stands disposed of.

There shall be no order as to costs. Consequently, connected miscellaneous petition is closed.

**30.06.2025**

Index: Yes/No

Speaking Order : Yes/No

Neutral Citation Case : Yes/No

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To

1. The Commissioner of Police,  
Avadi Commissionarate,  
Avadi, Chennai – 600 054.
2. The Inspector of Police (L&O),  
T-2, Ambattur Estate Police Station,  
Chennai – 600 058.
3. The Commissioner,  
Greater Chennai Corporation,  
Chennai.
4. The Public Prosecutor,  
High Court, Madras.



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**P.VELMURUGAN, J**

ms

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