



WEB COPY



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 10-09-2025

CORAM

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

WP Nos. 29721 & 29722 of 2025

WP No. 29721 of 2025

A.Shayeedha

D/o Kadhar

Petitioner(s)

Vs

1. The Commissioner
Greater Corporation of Chennai,
Ribbon Building, Park Town,
Chennai 600 003.
- 2.The Regional Deputy Commissioner (North)
And Chairman of Town Vending Committee
Greater Corporation of Chennai
Zone -5, Basin Bridge Road
Chennai 600 021.
- 3.The Executive Engineer
Greater Corporation of Chennai,
Zone 5, Basin Bridge Road,
Chennai 600 021.
- 4.The Asst Engineer
Greater Corporation of Chennai,
Divn 58, Kannappar Thidal,
Choolai, Chennai 600 012.



5. The Inspector of Police,
G-2 Periamet Police Station,
Periamet, Chennai 600 003.

Respondent(s)

WP No. 29722 of 2025

Aabeedu Nisha
W/o. Abdul Rahman

Petitioner(s)

Vs

1. The Commissioner
Greater Corporation of Chennai,
Ribbon Building, Park Town,
Chennai 600 003.

2. The Regional Deputy Commissioner (North)
And Chairman of Town Vending Committee
Greater Corporation of Chennai
Zone -5, Basin Bridge Road
Chennai 600 021.

3. The Executive Engineer
Greater Corporation of Chennai,
Zone 5, Basin Bridge Road,
Chennai 600 021.

4. The Asst Engineer
Greater Corporation of Chennai,
Divn 58, Kannappar Thidal,
Choolai, Chennai 600 012.

5. The Inspector of Police,
G-2 Periamet Police Station,
Periamet, Chennai 600 003.

Respondent(s)

WP No. 29721 of 2025



PRAYER: Writ petition has been filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus directing the respondents 1 to 5 to restore petitioner bunk shop at the original place namely at V.P. Hall compound, people's Park Road Opposite to Metro Railway station, Allikulam, Chennai 600 003, which had been removed illegally on 12.07.2025 by the 3rd and 4th respondent with the aid of 5th respondent police without prior notice and arrangement of alternate place as per resolution dated 29.01.2025 passed by the 2nd respondent and in violation of order dated 05.05.2023 passed by the High Court of Madras in W.P. No.13299 of 2023 and issue trade certificate to the petitioner as per provisions of Street Vendors (Protection of livelihood and Regulation of Street Vending) Act 2014 and pay damages.

WP No. 29722 of 2025

PRAYER: Writ petition has been filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus directing the respondents 1 to 5 to restore petitioner bunk shop at the original place namely opposite to V.P. Hall, people's Park Road, Allikulam, Chennai - 600 003 which had been removed illegally on 12.07.2025 by the 3rd and 4th respondent with the aid of 5th respondent police without prior notice and arrangement of alternate place as per resolution dated 29.01.2025 passed by the 2nd respondent and in violation of order dated 08.03.2023 passed by the High Court of Madras in W.P. no 6535 of 2023 and issue trade certificate to the petitioner as per provisions of Street Vendors (Protection) of livelihood and Regulation of Street Vending) Act 2014 and pay damages.

In both writ petitions:

For Petitioner(s): Mr.S.Pushpakaran

For Respondent(s): Mr.D.B.R.Prabhu,
Standing Counsel for R1 to R4

Mr.M.Babu Muthu Meeran
Additional Public Prosecutor for R5

COMMON ORDER



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

Since the issue raised in both these writ petitions is one and the same, with the consent of the learned counsel appearing for both sides, these writ petitions have been heard together and are disposed of by this common order.

2.Both these writ petitioners claim to have been running Bunk Shops at V.P. Hall compound, people's Park Road, Opposite to Metro Railway station, Allikulam, Chennai 600 003, which had been removed by the respondent Corporation authorities on 12.07.2025 without prior notice with the help of the police. Therefore, such action shall be considered to be high handed and therefore, in the same place, petitioners' Bunk Shops shall be permitted to be re-erected.

3.With these prayers though these writ petitions have been filed and the submission has been made by the learned counsel for the petitioners in both cases, when we heard the learned standing counsel appearing for the respondents, he would submit that first of all the place where they conducted the alleged Bunk Shop business as street vending has already been declared to be a non vending zone. That apart, like these petitioners, there are about 40 people



who have illegally or unauthorizedly put up the Bunk Shops in that locality itself and the entire locality is declared to be a non vending zone. Already a PIL has been filed by an Association called Annai Indira Moore Market Sirukadai Vyabarigal Sangam in W.P. No.5852 of 2024, where the prayer sought for by them is for a Writ of Mandamus directing the respondents therein to take action on the petitioner's representation for the removal of the encroachment in the Allikulam Commercial Complex, opposite to V.P. Hall Compound, Allikulam, Chennai - 600 003. By disposing the said writ petition, the First Bench of this Court vide order dated 07.03.2024 has passed the following order:

“2.The petitioner seeks direction against the respondents to remove the encroachment made in the Allikulam Commercial Complex.

3.The petitioner may file an application before the Committee constituted under G.O. Ms.No.64, Revenue Department dated 08.02.2022. If the petitioner files such an application before the Committee, the Committee shall consider it on its own merits and in accordance with law expeditiously.

4.The writ petition is disposed of. There shall be no order as to costs”.

4.Relying upon this order, the learned standing counsel appearing for the



respondents would submit that the area in which they wanted to re-erect the Bunk Shop had already been declared as non vending zone. That apart, since a judicial order has been passed, whereby, the request made by the Sirukadai Vyabarigal Sangam was directed to be considered there was every obligation on the part of the respondent Corporation to remove such unauthorized street vending by way of Bunk Shops. Therefore, more than 40 Bunk Shops have been removed from that area including the petitioners' Bunk Shops. Therefore, the question of permitting them to conduct the business continuously in the same area under the Street Vendors Act does not arise. Therefore, the prayer need not be considered, he contended.

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

6. Under the provisions of the Street Vendors Act, it is the duty of the Town Vending Committee to make recommendation to declare a particular area as street vending zone or non vending zone. Once such a declaration is made



that a particular area being a non vending zone, no such street business would be permitted by the local authorities. In the case on hand, the area where these petitioners claimed to have been running the Bunk Shops have already been declared as non vending zone and like the petitioners, since many other street vendors had erected the Bunk Shops, nearly 40 in numbers, such a prayer was sought for in the PIL as referred to above, where a direction has been given by the First Bench of this Court by an order dated 07.03.2024 to the respondent Corporation of Chennai to take action to remove those unauthorized business or street vending business.

7. Therefore, if any removal of unauthorized street vending business is undertaken by the Chennai Corporation with the help of the police and as a result, such illegally occupying non vending zone Bunk Shops are removed, such kind of removal has to be approved as the respondent Corporation has acted upon only on the basis of the provisions of Street Vendors Act as well as the directions given by this Court referred to above. Therefore, we are not inclined to accept the prayer sought for in these writ petitions and resultantly,



these Writ petitions have to be dismissed.

8. Accordingly, these writ petitions are dismissed. However, the dismissal of the writ petitions would not preclude the writ petitioners to find out an alternative place on their own and make an application to that effect to have such street vending business not being a Bunk Shop in any vending zone in the Chennai Corporation limits and if any such applications are filed by the petitioners, it is open to the respondent Corporation and Town Vending Committee to decide the same on merits and in accordance with law as early as possible.

9. With these observations the writ petitions stand dismissed. There shall be no order as to costs.

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

sli

10-09-2025

Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No

To



1. The Commissioner
Greater Corporation of Chennai,
Ribbon Building, Park Town,
Chennai 600 003.

2. The Regional Deputy Commissioner (North)
And Chairman of Town Vending Committee
Greater Corporation of Chennai
Zone -5, Basin Bridge Road
Chennai 600 021.

3. The Executive Engineer
Greater Corporation of Chennai,
Zone 5, Basin Bridge Road,
Chennai 600 021.

4. The Asst Engineer
Greater Corporation of Chennai,
Divn 58, Kannappar Thidal,
Choolai, Chennai 600 012.

5. The Inspector of Police,
G-2 Periamet Police Station,
Periamet, Chennai 600 003.



WEB COPY

10/10

WP No. 29721 of 2



R.SURESH KUMAR J.
AND
A.D.JAGADISH CHANDIRA J.

sli

WP Nos. 29721 & 29722 of 2025

10-09-2025