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W.P.No.31724 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 26.11.2025

CORAM

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

**W.P.No.31724 of 2025
and
W.M.P.Nos.35522 & 35523 of 2025**

Moore Market Alikulam Anaithu
Vyabarigal Pothunala Sangam,
Represented by its President,
K.Krishnamoorthy,
S/o.K.P.Konar,
Reg.No.19/2025,
Having its registered office at
No.131, Allikulam Complex, Moore Market,
Chennai – 600 003.

... Petitioner

-Vs-

1. The Commissioner,
Greater Chennai Corporation,
Rippon Buildings,
Chennai – 600 003.
2. The Zonal Officer,
Zone-V,
No.61, Basin Bridge Road,
Chennai – 21.
3. Chockalingam,
Executive Engineer,
Zone-V,
No.61, Basin Bridge Road,
Chennai – 21.



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4. Kannan,
Assistant Executive Engineer,
Zone-V,
No.61, Basin Bridge Road,
Chennai – 21.

5. Hemachandran,
Assistant Engineer,
Corporation of Building,
Park Town,
Chennai – 600 003.

... Respondents

PRAYER : Petition under Article 226 of the Constitution of India, praying for issuance of Writ of Mandamus, forbearing the respondents from interfering the hawkers mentioned in the annexure to carry their business in People's Park Road opposite to V.P.Hall which was allotted by Town Vending Committee, Chennai in terms of the provisions of the Street Vendors (Protection of Livelihood and Regulation of Street Vending) Act, 2014 pursuant to the representation dated 14.07.2025.

For Petitioner : Mr.R.Thirumoorthy

For Respondents : Mr.A.Arun Babu
Standing Counsel

ORDER

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

The prayer sought for herein is for a writ of mandamus to forbear the respondents from interfering with the hawkers mentioned in the annexure to carry their business in People's Park Road opposite to V.P.Hall which was allotted by Town Vending Committee, Chennai in terms of the provision of the



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Street Vendors (Protection of Livelihood and Regulation of Street Vending) Act, 2014 pursuant to the representation dated 14.07.2025.

2. Under the Street Vendors (Protection of Livelihood and Regulation of Street Vending) Act, 2014, the individual members of the petitioner Association and others made applications to the respondent Chennai Corporation / Town Vending Committee seeking licence / permission to have street vending business which was considered by the Chennai Corporation and such permission was given to them to have street vending business in the locality called 'People's Park Road, opposite to V.P.Hall, Chennai'.

3. However, by using the said permission given by the Chennai Corporation / Town Vending Committee to have a street vending business, the members of the petitioner Association and even some other individuals according to the Chennai Corporation have extended their shops by putting up some permanent structure by encroaching upon the public street / road, thereby causing severe hindrance to the free flow of traffic.

4. Therefore, action has become necessitated as already there has been a writ petition filed in W.P.No.5852 of 2024 by Annai Indira Moore Market Sirukadai Vyabarigal Sangam, where an order has been passed by the Division



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Bench that the petitioner Association of that writ petition or its members can give an application before the Committee constituted under G.O.Ms.No.64, Revenue Department dated 08.02.2022 and if they filed such application before the Committee, the Committee shall consider it on its own merits and in accordance with law as expeditiously as possible.

5. Only pursuant to this direction given by the Court, such permission had been given to the individual seekers who wanted to have the street vending business in the concerned locality where the Corporation while giving such permission has imposed certain conditions that, it is temporary in nature and no permanent structure can be put up and beyond the earmarked place, no other extra space can be occupied or encroached upon by each of the street vendors.

6. Despite the said conditions having been imposed by the Chennai Corporation, while giving such permission / licence to the street vendors who are mainly the members of the present petitioner Association since they have extended their street vending business area by putting up some permanent structure thereby encroached upon the street and road belonging to the Chennai Corporation causing nuisance to the free flow of traffic and also the general public, it become necessary for the Chennai Corporation to take a removal of encroachment drive on 12.07.2025 which was successfully completed by them.



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7. Therefore, in this regard, it is the stand of the respondent Corporation that, continuously, they can have a street vending business only within the limited allotted area without extending the area of their street vending business and also without making any permanent structure even on temporary basis.

8. If such an attempt is made, it is nothing but a violation of the conditions imposed by the Chennai Corporation while granting such permission and therefore, so long as they have not violated the conditions imposed by the Chennai Corporation, their street vending business would not be hindered by the Corporation unnecessarily, but once they started violating it, certainly the action would be taken by the Chennai Corporation is the stand taken by the Chennai Corporation as has been reflected in the affidavit filed by the Zonal Officer, Zone V Greater Chennai Corporation, Chennai dated 12.11.2025.

9. In this context, the learned counsel appearing for the petitioner Association would submit that, the members of the petitioner Association are confined only with the allotted place to the street vending business and therefore, if any violation is noticed by any members of the Association, necessary action can be initiated by the respondent Corporation, but at the same time, within the allotted area, if continuously street vending business is



undertaken by the members of the Association, that kind of street vending business run by the members of the petitioner Association who have been given such permanent licence under the Act by the Chennai Corporation unnecessarily cannot be disturbed, he contended.

10. Having taken note of the submissions made on behalf of the learned counsel appearing for both sides and having regard to the aforesaid facts and circumstances of the case, this Court is inclined to dispose of the writ petition with the following orders:

(i) that there shall be a direction to the respondent Corporation to verify whether there has been any violation of conditions or permission imposed at the time of giving permission to the street vendors who are the members of the petitioner Association as well as any other individual street vendors in the particular locality and if any such violation is noticed, it is open to the respondent Corporation to take immediate remedial action to remove such encroachment to set right the violation.

(ii) So long as the members of the petitioner Association or any other individual hawkers, who, without violating any other conditions imposed already by the Chennai Corporation are doing their business of street vending, the same need not be unnecessarily disturbed.



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11. With these observations and directions, this Writ Petition is disposed

of. However, there shall be no order as to costs. Consequently, connected miscellaneous petitions are closed.

(R.S.K., J.) (A.D.J.C., J.)
26.11.2025

NCC : Yes / No

Index : Yes / No

Speaking Order : Yes / No

vji

To

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