



WEB COPY

WP No. 36358 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 23-03-2026

CORAM

THE HON'BLE MR JUSTICE S. M. SUBRAMANIAM

AND

THE HON'BLE MR.JUSTICE K. SURENDER

WP No. 36358 of 2025

J.Prosezhiyan
S/o. A Jayaraman,
206/2 Jayaraman Arivuam, Bala Vinayagar
Street, Itteri Road Erumapalayam,
Kichipalayam, Salem 636015.

..Petitioner(s)

Vs

1. The District Collector
Collectorate, Salem 636 001.
2. The Commissioner
Corporation Of Salem, Salem
3. The Assistant Commissioner
Ammapettai Zonal Office, Salem.
4. T.Poonkuzhali
5. K.Anandharaman
6. K.Rajananickam
7. M.Bhaskar
8. K.Vijay
9. K.Mani
10. K.Ramesh
11. K.Anbu
12. R.Sudha
13. K.Palanisamy



14. P.Raji

15. G.Kalaichelvam

16. M.Rathinavel

17. K.Sundaram

(Respondents 4 to 17 impleaded as
per order dt.23.03.2026
made in WMP.No.3325 of 2026 by
SMSJ&KSJ)

..Respondent(s)

To direct the respondents to forthwith identify and remove all unauthorized shops encroachments obstructions and illegal structures in and around V. O Chidambaranar market situated at Old Bus Stand Salem District including the Encroachment over public and common areas and illegal and un authorised shops in streets more particularly Valmiki street, valmiki cross street etc adjoining the said market and further to ensure that the V. O Chidambaranar market is maintained free from any encroachment or unauthorised occupation by way of temporary or permanent structures in and around the said market based on the petitioners representation dated 24.12.2024 within a time to be stipulated by this honourable court

For Petitioner(s): Mr.Ragavendran R

For Respondent(s): Mr. T. Arun Kumar
Addl.G.P. for R1
Mrs.N. Devi,
Standing Counsel for R2 & R3
Mr.Jayamalan for R4 to R17

ORDER

(Order of the Court was made by S.M.Subramaniam J.)

Writ of Mandamus has been instituted to direct the respondents to forthwith identify and remove all unauthorized shops, encroachments, obstructions and illegal structures in and around V. O. Chidambaranar



market situated at Old Bus Stand Salem District including the Encroachment over public and common areas and illegal and unauthorised shops in streets more particularly, Valmiki street, valmiki cross street etc. adjoining the said market and further to ensure that the V. O Chidambaranar market is maintained free from any encroachment or unauthorised occupation by way of temporary or permanent structures in and around the said market, based on the petitioners representation dated 24.12.2024, within a time to be stipulated by this Court.

2. With reference to the relief sought for in the present writ petition, the Assistant Commissioner, Ammapet Zonal Office, Salem Corporation, filed a compliance report stating that encroachments in VOC market had been removed. The relevant paragraphs Nos.3 to 7 of the compliance report reads as under.

3. I respectfully Submit that the Order of the Court is as follows,

"The photographs filed along with this writ petition suggests that, not only in the building of the market complex where shops have been allotted, however in the corridor of every floor, many number of street shops are permitted to run. Even the entry into the lift as well as toilets within the building of the market complex have been completely blocked by this kind of street marketing which is taking place in the corridors".

4. I respectfully State that as per the order of the High



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Court encroachment eviction process was carried out on the morning of 26.11.2025 for the private shops in Valmiki Street, V.O.Chidambaranar Market and shops near the entry to the lift, toilets and entrance inside the V.O.Chidambaranar Market along with the police force of nearly 35 Police Personnel along with 15 Salem Municipal Corporation staff.

5. I submit, that as per the order of the High Court dated 19.01.2026 states that the authorities are bound to monitor constantly to ensure that the encroachments are prevented and the respondents are directed to file appropriate affidavit regarding the allegation set out by the petitioner based on the photograph taken on 09.12.2025 at 1.42 p.m.

6. I respectfully state, that the pursuant to the said order, The Special Committee report were submitted by the Special Committee Chairman, VOC Market, stated the Plan of Action for encroachment eviction process has been guided for initiate eviction process with the officials and employees of Salem Corporation. Salem Corporation Commissioner sent a letter to The Commissioner of Police, Salem praying to send an adequate police personnel to carry out the eviction in V.O.C Market vide letter No: L8/875/2026 Dated: 14.02.2026.

7. I respectfully state that on the morning of 24.02.2026, encroachment eviction was carried out in and around the VOC Market namely 14 shops in Valmiki Street, 38 shops in VOC Market entrance inside, 5 shops in Valmiki Street lane, 8 shops encroached near the lift and toilet along with Police Personnel and Corporation staff.

8. I respectfully submit that the Photos (Copy



enclosed) taken during process of encroachment eviction.

I pray that this Hon'ble Court may be pleased to accept the compliance Report and close the above writ and thus render justice.

3. Learned counsel for the impleaded respondents would submit that tender notification would show that the removed portions are proposed to be leased out.

4. Such tender notification will not confer any right. The authorities have now identified the encroachments and removed the same. To secure allotment in any one of the vending zone, any eligible person is at liberty to submit an application before the vending committee and the competent authority has to decide the issues in accordance with the provisions of the statutes and rules in force.

5. With the above observation, the Writ Petition stands disposed of. It is made clear that the authorities are bound to monitor the market area and ensure that the common pathway, parking area provided are being maintained free from encroachments and for public use. No costs.

(S.M.S.,J.) (K.S.,J.)
23-03-2026

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



To

1. The District Collector
Collectorate, Salem 636 001.
2. The Commissioner
Corporation Of Salem, Salem
3. The Assistant Commissioner
Ammapettai Zonal Office, Salem



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**S.M.SUBRAMANIAM, J.
AND
K.SURENDER, J.**

vsi

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