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W.P.No.37164 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 04.02.2026

CORAM :

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

W.P.No.37164 of 2025

1. S.Mariappan
 2. S.Manimekalai
 3. D.Navaneethan
 4. B.Shanthi
 5. A.H.Nasar Ali
- .. Petitioners

Vs.

1. The State of Tamil Nadu
Represented by its Principal Secretary
Municipal Administration & Water Supply Department
Chennai – 9.
2. The District Collector
Tiruppur District, Tiruppur.
3. The Commissioner
Avinashi Municipality, Avinashi,
Tiruppur District.
4. The Tahsildar
Avinashi Taluk, Tiruppur District.
5. The Deputy Superintendent of Police
Avinashi, Tiruppur District.
6. The Divisional Engineer
Highways Department
Tiruppur Division, Tiruppur.
7. Avinashi Anaithu Vanigargal Sangam
Represented by its President
143, Post Office Street
Avinashi – 641 654, Tiruppur District.



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8. K.K.Karthikeyan

.. Respondents

Prayer: Petition under Article 226 of the Constitution of India, praying for issuance of writ of mandamus, forbearing the respondents 3, 4 and 6 from evicting or harassing the petitioners from their regular usual vending spots on both sides of the State Highway between the Kaikatipudur – New Bus Stand and Old Bus Stand in Avinashi Town, and on the Sathyamangalam-Puliyampatti stretch in Avinashi Town, Tiruppur District in violation of the Street Vendors (Protection of Livelihood and Regulation of Street Vending) Act, 2014 and consequently, direct the respondents 3 to 6 to ensure protection of petitioners' livelihood.

For Petitioners : Mr.M.Purushothaman

For Respondents : Mr.A.Selvendran
Special Government Pleader
for R1, R2, R4 and R6

Mr.P.Srinivas
Standing Counsel
for R3

Mr.A.Gokulakrishnan
Additional Public Prosecutor
for R5

Mr.K.Govi Ganesan
for R7 and R8

ORDER

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

The prayer sought in this writ petition is for a writ of mandamus, forbearing respondents 3, 4 and 6 from evicting or harassing the petitioners from their regular usual vending spots on both sides of the State Highway between the Kaikatipudur - New Bus Stand and Old Bus Stand in Avinashi



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Town, and on the Sathyamangalam-Puliyampatti stretch in Avinashi Town, Tiruppur District.

2. The five petitioners joined together and filed this writ petition claiming that they are street vendors and mainly, they are doing street vending business in selling garments on the places nearby or opposite to Avinashi Bus Stand or Avinashi Town. While that being so, in order to regulate the street vending business under the provisions of the Street Vendors (Protection of Livelihood and Regulation of Street Vending) Act, 2014, the respondent Municipality had taken steps, thus, apprehending the eviction from the places where they have been doing street vending business, these petitioners have approached this Court and filed the present writ petition with the aforesaid prayer.

3. We, after having heard the writ petition, by our order dated 26.11.2025, have passed the following orders:-

"The Town Vending Committee of the respondent Municipality has already declared areas as Vending Zone and Non-vending Zone. One of the areas is the stretch between the Women Higher



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Secondary School and new bus stop, that stretch though has already been declared to be a Non-vending Zone, but that can be provided for such street vending only for the limited time in the night hours, i.e., between 6.00 pm and 10.00 pm.

2. Therefore, if at all the petitioners want to have the street vending business in that particular area, i.e., stretch mentioned between the Women Higher Secondary School and the bus shelter of the new bus stand, they can make specific applications to that effect that they will restrict the street vending business only between 6.00 pm and 10.00 pm. If such applications are filed in the prescribed format, it is open to the respondent Municipality to consider the same and to pass orders on merits and in accordance with law.

3. We have also perused some of the street vendors licence issued by the respondent Municipality filed in the typedset of papers of the Municipality which suggests that, in many of such licences, the vending place has been mentioned generally which includes the bus stand and the bus stop. However, the name of the bus stand or bus



stop has not been specifically mentioned. Likewise, in some places, it has been mentioned only as pathway, but the name of the pathway or street is not mentioned.

4. Therefore, these kinds of discrepancies have to be rectified immediately by the respondent Municipality and if there is no objection for the Town Vending Committee to give such licence to some of the hawkers in the bus stop area or bus stand area or in the same places, if the petitioners also seek for town vending permission, why not the petitioners plea be considered, also be explained before this Court. The respondent Municipality shall file a detailed affidavit answering all these queries during the next date of hearing.

5. Post the matter on 10.12.2025."

Thereafter, when the case was taken up for further hearing, on some occasions, the learned Standing Counsel appearing for the respondent Municipality had taken time to comply with the directions given by this Court and ultimately, when the case is taken up for hearing today, the learned Standing Counsel has filed a report of the third respondent Municipality, filed by the Commissioner of the Municipality.



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4. Along with the said report, the Municipality has also figured a list of street vendors which have already been enumerated, according to which, 143 street vendors are presently doing street vending business in the Municipal area of Avinashi Municipality.

5. It is further revealed that, out of the five petitioners herein, petitioners 1 to 4 are among the 143 enumerated street vendors, however, petitioner 5 is not among the 143, which means that, he has not been permitted to run any street vending business nor he has been doing any street vending business, however, he can make a fresh application to the Town Vending Committee, seeking such permission or license or identity card from the Town Vending Committee after allotting a place, declared to be a Vending Zone in the Municipal area. That application would be considered is the stand taken by the respondent Municipality.

6. *Mr.M.Purushothaman*, learned counsel appearing for the petitioners would submit that, all the petitioners are running street vending business for selling garments, that too



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only during Sundays. For all the remaining six days in a week, there would not be any business and they would not do any street vending business on all other days except Sunday. It is therefore further contended that, in the exact location, which is more or less in the nearby area to the new bus stand, since the first four petitioners have been doing business , they may be permitted to continue their street vending business without causing any hindrance to them. That is their main endeavor, for which, the present writ petition has been filed, he contended.

7. On the other hand, *Mr.P.Srinivas*, learned Standing Counsel appearing for the third respondent Municipality, on instructions, would submit that, already enumeration about the existing street vending in the small area having been made, it was found that, only 143 such street vendors alone are doing business and their names, identity card numbers, mobile numbers, the nature of business they are doing and the addresses or places where such street vending businesses are undertaken, by which all such vendors having been identified, the enumeration list has been prepared and filed before this Court.



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8. We have perused the said list of 143 vendors, wherein, Sl.No.1, 20, 23 and 141 are the petitioners 1 to 4 respectively and all the four writ petitioners, that is petitioners 1 to 4, are existing street vendors and they have been selling garments. The place earmarked for them, as identified in the list provided by the Municipality, has already been declared to be a Vending Zone, as verified and cited by the learned Standing Counsel appearing for the respondent Municipality.

9. In this context, it is further to be noted that, the Town Vending Committee vide its decision taken in the meeting held on 13.09.2025, identified ten such places in the Municipal area as Vending Zones and that has been declared so. Five other places have been identified as Non-Vending Zones, which have also been declared by the Town Vending Committee. Insofar as the ten areas which have been declared to be Vending Zones are concerned, all those 143 enumerated Vendors whether could be accommodated or not could be decided by the respondent Municipality.



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10. In this context, we emphasise, as far as possible, the existing Vendors, that is 143 Vendors, could be accommodated in the very same place where they have been doing business already as per the enumeration made by the Municipality, provided, if those places are declared to be Vending Zones. If any of the areas has not been declared to be a Vending Zone or already declared to be a Non-Vending Zone, where, the Vendors among the 143 have been already permitted to continue vending business, alternative place could be identified and be allotted to those Vendors alone and such allotment shall be made as far as possible either as per the choice of the vendors or nearby locality from the earlier locality where they have been already doing business.

11. Coming to the plea of the petitioners' case also, as we stated *supra*, petitioners 1 to 4 are among the 143 enumerated Vendors and since the place where they have been doing business has already been declared to be Vending Zone, there could be no further impediment for the respondent Municipality to allot the same place to the petitioners 1 to 4 to continue their street vending business, for which, whatever the procedural formalities to be followed



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by giving identity cards or license, denoting exact location, that is the exact location of the proposed Vending business to be undertaken by the petitioners, the street name, sketch, ward and other landmark be specifically mentioned in such license and identity cards.

12. In order to complete this exercise, since the learned Standing Counsel appearing for the respondent Municipality seeks time till the second week of February, 2026, as the Town Vending Committee's meeting has been scheduled to be conducted on 12.02.2026, on that date, the Town Vending Committee would take stock of the situation and complete the exercise of making arrangements or confirm the earlier arrangement given to these 143 people, of course, by complying with the orders being passed in this writ petition and therefore, the learned Standing Counsel for the respondent Municipality seeks such time till the second week of February, 2026.

13. Insofar as the fifth petitioner is concerned, he has not been doing any business so far, however, if he wants to do business, that is street vending, it is open to him to make an



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application in this regard in the prescribed format immediately and on receipt of such application, the same shall be placed before the Town Vending Committee in its next meeting to be held on 12.02.2026, where, a decision could be taken by the Town Vending Committee as to whether any such arrangement could be given to the fifth petitioner also for town vending business.

14. Apart from the petitioners, if any new applications are made, those could also be considered and decided by the Town Vending Committee in accordance with law, especially, under the provisions of the Street Vendors (Protection of Livelihood and Regulation of Street Vending) Act, 2014, and the procedure being followed by the Municipality and its Town Vending Committee by taking into account the declaration of Vending Zones and Non-Vending Zones having been declared through the meeting dated 13.09.2025. Accordingly, such applications, if filed, could be decided then and there.

15. Till this exercise is completed, as indicated above, the present business being run by the petitioners 1 to 4 in the same location shall not be disturbed.



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16. With these directions, the writ petition is disposed of. However, there shall be no order as to costs. Consequently, W.M.P.Nos.41603 and 41606 of 2025 are closed. W.M.P.No.41599 of 2025, petition filed seeking leave to file a single writ petition, stands ordered, inasmuch as the petitioners have paid separate set of court fees.

(R.S.K., J.) (A.D.J.C., J)
04.02.2026

Speaking Order/Non-Speaking Order
Neutral Citation:Yes/No
Internet:Yes/No
Index:Yes/No

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To:

1. The Principal Secretary
The State of Tamil Nadu
Municipal Administration & Water Supply Department
Chennai – 9.
2. The District Collector
Tiruppur District, Tiruppur.
3. The Commissioner
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R. SURESH KUMAR, J.
AND
A.D.JAGADISH CHANDIRA, J.

(*drm*)

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