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W.P.No.48894 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 08.01.2026

CORAM :

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

W.P.No.48894 of 2025

P.Hemaganesh

.. Petitioner

Vs.

1. The Commissioner
Greater Chennai Corporation
Rippon Building, Chennai – 600 003.
2. The Commissioner of Police
Greater Chennai Police
No.132, EVR Sampath Road
Periamet, Vepery
Chennai – 600 007.
3. The Assistant Engineer
Zone – 10, Greater Chennai Corporation
No.117, N.S.K.Salai
Kodambakkam, Chennai – 600 024.
4. The Sub-Inspector of Police
Mambalam Police Station
West Mambalam, Chennai – 600 033.
5. The Town Vending Committee
Zone – 10, Greater Chennai Corporation
No.117, N.S.K.Salai, Kodambakkam
Chennai – 600 024.

6. S.Jakir Hussain

.. Respondents



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Prayer: Petition filed under Article 226 of the Constitution of India, seeking a writ of mandamus, directing the respondents 1 to 4 herein to protect the peaceful street vending of the petitioner at Nageswar Rao Road, between M/s.Gem and Co. Pens and M/s.Pothys Textiles by virtue of the Street Vendor (Protection of Livelihood and Regulation of Street Vending) Act, 2014 and restrict the 6th respondent from interfering with the petitioner's vending, by taking up the complaint filed against the 6th respondent considering the representation of the petitioner dated 08.10.2025.

For the Petitioner : Ms.Karthikaa Ashok

For the Respondents : Mr.D.B.R.Prabhu
Standing Counsel
for R1, R3 and R5

Mr.A.Gokulakrishnan
Additional Public Prosecutor
for R2 and R4

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, to direct the respondents 1 to 4 herein to protect the peaceful street vending of the petitioner at Nageswar Rao Road, between M/s.Gem and Co. Pens and M/s.Pothys Textiles, by virtue of the Street Vendors (Protection of Livelihood and Regulation of Street Vending) Act, 2014¹ and restrain respondent 6 from interfering with the petitioner's vending, by taking up the complaint filed against respondent 6 by considering the representation of the petitioner dated 08.10.2025.

1. In short, "the Act of 2014".



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2. The petitioner claims that he is conducting street vending business at Nageswar Rao Road, between M/s.Gem and Co. Pens and M/s.Pothys Textiles, by virtue of the Act of 2014. He wants to restrain respondent 6 from interfering with his street vending business by taking up the complaint filed against respondent 6 by way of the representation dated 08.10.2025. It is the case of the petitioner that, respondent 6 is trying to evict or is trying to give trouble to the petitioner, who is also running a street vending business in the same locality.

3. In order to verify the complaint, a direction was given by our last order dated 19.12.2025 to the following effect:-

"The Assistant Engineer, namely Mr.B.Ananth, at Zone X will inspect the area where originally the petitioner claims to have been running street vending and has been dispossessed by the private party, who is the sixth respondent, only recently and file a report with sketch on the next date of hearing, based on which, further course of action could be decided.

2. Post the matter on 07.01.2026."



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4. Pursuant to the same, today, when the case is taken up for hearing, the learned Standing Counsel appearing for the respondent Corporation has filed a status report of the Assistant Engineer, Greater Chennai Corporation, Division 133, Zone X, where, *inter alia*, he has stated the following:-

"5. I respectfully submit that at the time of inspection the 6th respondent herein has produced the vending card issued by the Greater Chennai Corporation and thereafter he has submitted a representation dated 06.01.2026 stating that he is carrying on the hawking business in the said location for past 20 years. On scrutinizing the vending card it was found that the card was renewed by the Greater Chennai Corporation in the year 2023. Further, the 6th respondent herein has stated in his representation that the petitioner is trying to encroach his shop and has also informed that the petitioner herein has encroached many shops in the Usman Road.

6. I respectfully submit that further the 6th respondent has stated that he is the member of T.Nagar Kizhakku Pakkam Usman Road Street Vendors Association and also submitted a furnished a order copy in W.P.No.4862 of 2017 obtained by his Association. Further, the members of the T.Nagar Kizhakku Pakkam Usman Road Street Vendors Association were allotted space to carry out business in Usman Road from Gem & Co., to L.K.S. Jewellery.

7. I respectfully submit that on inquiry it was found that the petitioner herein was already running a shop at Usman Road in front of Ganapathy Food Corner and Rose & Crust Ice Cream Shop and the 6th respondent shop situated 5 meters apart. Further, the other shop owners have also informed that the 6th



respondent herein is running the said for the past 20 years at Nageswar Rao Road, between M/s. Gem and Co. Pens and M/s.Pothys Textiles."

5. Relying upon these averments and also the photographs filed in this regard, the learned Standing Counsel appearing on behalf of the respondent Corporation would submit that, the petitioner as well as respondent 6 have been allotted an area respectively under the Act of 2014 by giving Identity Cards and respondent 6 has been continuously running the said vending business for 20 years, which has been verified during the inspection, as the neighbors and other hawkers vouch that he is doing this business for the last several years. Insofar as the hawking business done by the petitioner is concerned, it is not being disturbed either by the Corporation Officials or by respondent 6 and since both are doing it in the same location, there might be some personal rivalry between them, which would not pave way for the Corporation to resolve it, as both are permitted to run hawking business peacefully.

6. In view of the said stand taken by the Corporation, as the hawking business run by the petitioner is not hindered by anyone, much less the respondent 6, no further orders are required to be passed in the present writ petition.



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7. Therefore, by recording the aforesaid factual matrix, this writ petition is disposed of accordingly. It is made clear that, in the event of any disturbance caused either from respondent 6 or from any other third parties, it is open to the petitioner to make a complaint before the concerned Police Station and it is for the concerned Police to take action in accordance with law. There shall be no order as to costs.

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

08.01.2026

Speaking Order/Non-Speaking Order

Neutral Citation:Yes/No

Internet:Yes/No

Index:Yes/No

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