



W.P(MD)No.35353 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 26.03.2026

CORAM

THE HONOURABLE MR.JUSTICE HEMANT CHANDANGOUDAR

Writ Petition(MD)No.35353 of 2025

and

W.M.P(MD)No.28045 & 28047 of 2025 & 4442 of 2026

1. A.Poomariyappan
2. M.Mohamed Kani
3. T.Mahamayee
4. S.Sivasubramaniyan
5. A.Esakkimuthu
6. R.Kartheeswaran
7. G.Senthilvel
8. C.Selvanayagam
9. V.Rajendran
10. S.Mariyappan
11. P.Tamilarasi
12. S.Ramasamy
13. P.Paramasivan
14. Muthukumar
15. G.Murugan
16. R.Ganeshamoorthi
17. C.J.Mariappan
18. Murugesan
19. Mariappan
20. G.Karadimuthu

...Petitioners



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Vs

1. The Director of Municipal Administration,
Urban Administrative Building,
Santhome High Road,
Chennai 28.

2. The Commissioner,
Kadayanallur Municipality,
Kadayanallur,
Tenkasi District.

3. The Street Vending Committee,
Rep by Chairman,
The Commissioner,
Kadayanallur Municipality,
Kadayanallur, Tenkasi District.

...Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus to call for the records relating to the proceedings of the 2nd Respondent made in Na.Ka.No.2268/2016/F1 dated 28.10.2024 and consequential proceedings made in Na.Ka.No.2268/2016/F1 dated 23.10.2025 and quash the same and consequently direct the respondents to include the Perarignar Anna Daily market as Vending Zone.

For Petitioners

: Mr.R.Murali

For Respondents

: Mrs.P.B.Ahamed Yasmin Parvin
Government Advocate for R1

Mr.M.Rajarajan
Standing Counsel for R2

No appearance for R3



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ORDER

The petitioner challenges the proceedings dated 28.10.2024 issued by the second respondent, whereby the second respondent has constituted the Town Vending Committee and declared the vending zones.

2. Heard the learned counsel appearing on either side and perused the materials available on record.

3. The State of Tamil Nadu has framed the Street Vendors (Protection of Livelihood and Regulation of Street Vending) Rules, 2015. Rule 12 of the said Rules provides for the election of street vendors as members of the Town Vending Committee. It mandates that the local authority shall, by notification, express its intention to conduct the election of members of the Town Vending Committee representing street vendors within its jurisdiction. The term “notification,” as defined under Section 2(f) of the Street Vendors (Protection of Livelihood and Regulation of Street Vending) Act, 2014, means a notification published in the Official Gazette, and the term “notifying” shall be construed accordingly.



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4. In the case on hand, the second respondent issued a paper publication to conduct the election of members of the Town Vending Committee. However, the required notification was not published in the Official Gazette as mandated under Rule 12 of the Rules. Without going into other aspects of the matter, the impugned proceedings are liable to be quashed on the sole ground of non-compliance with the mandatory requirement under Rule 12. This Court had earlier granted an interim stay, restraining the constituted committee from functioning.

5. In view of the above, the impugned proceedings issued by the second respondent are unsustainable and are liable to be set aside. Accordingly, this writ petition is allowed, and the impugned proceedings in Na.Ka.No.2268/2016/F1 dated 28.10.2024, along with the consequential proceedings dated 23.10.2025, are quashed. However, liberty is granted to the second respondent to constitute the Town Vending Committee afresh, strictly in accordance with the provisions of the Act and the Rules framed thereunder. No costs. Consequently, connected miscellaneous petitions are closed.

26.03.2026

NCC : Yes/No
Index : Yes/No
Internet:Yes
skn



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HEMANT CHANDANGOUDAR, J.

skn

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