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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 24-09-2025

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

**WP No. 36085 of 2025
AND
WMP No. 40335 OF 2025**

1. S.Devi
W/o. Denasekar,
No.73 D Block, Lock Nagar,
Chepauk, Triplicane, Chennai-600 005

Petitioner(s)

Vs

1. The Principal Secretary to
Government
Environment, Climate Change and
Forest Department, Secretariat,
Fort St. George, Chennai-600 009.

2.The Commissioner,
Greater Chennai Corporation,
Rippon Building, Chennai-600 003.

3.The Zonal Officer,
Greater Chennai Corporation, No.8,
4th Cross Street, Nungambakkam,
Chennai-600 034.



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4.The Inspector of Police,
D-6, Anna Square Police Station,
Triplicane, Chennai-600 005.

5.Mr. Kaviyarasu,
No.129, Victoriya Hostel Beach Side,
Triplicane, Chennai-600 005.

6.Mrs. Kalawathi,
No.16/1 Canal Street, Triplicane,
Chennai-600 005.

7.Mr. Jagadeesh,
No.7/3, Canal Street, Triplicane,
Chennai-600 005.

8.The Commissioner of Police,
Chennai.
(R8 impleaded suo motu
vide order dated 24.09.2025)

Respondent(s)

PRAYER: Writ petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus directing the 2nd respondent to consider the representation dated 05.07.2025 requesting to issue a shop for the petitioner and relocate the same in the Marina Beach.

For Petitioner(s): Mr.S.Elankumaran

For Respondent(s): Mr.T.Seenivasan, Special
Government Pleader for R1

Mr.D.B.R.Prabhu, Standing
Counsel for R2 & R3

Mr.M.Babu Muthu Meeran,
Additional Public Prosecutor for
R4 & R8

**ORDER**

(Order of the Court was made by R.Suresh Kumar J.)

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Prayer sought for herein is to direct the 2nd respondent to consider the representation dated 05.07.2025 requesting to issue a shop for the petitioner and relocate the same in the Marina Beach.

2.Though the individual writ petitioner has come before this Court by filing the writ petition seeking the aforesaid prayer, the issue will not be over by merely disposing the writ petition by giving any direction or allowing the writ petition. The reason being that, in the Marina Beach at Chennai, how the street vending business has to be regulated had been continuously engaging the law Courts by litigation after litigation. At one point of time during the year 2020, a Division Bench of this Court, while hearing the writ petitions in W.P.Nos.16797 of 2015 & 9159 of 2018 and 28690 of 2018 was pleased to pass a series of interim directions, by which how the street vending in the Marina Beach has to be regulated has been indicated. By virtue of that, the Government had come forward at that time with a scheme to regulate the street vending. According to the said scheme, who were all the existing street vendors or shop holders in the

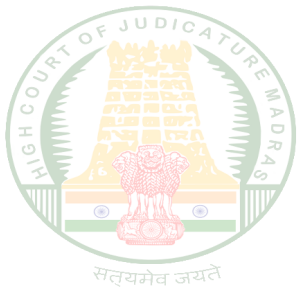


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Marina Beach were to be identified, after having been identified them, identity cards since have already been issued, based on which, the list of enumeration of those vendors would be made by the Corporation and shops would be allotted to only those who have already been in street vending in the Marina Beach.

3. At one point of time, the Government had come forward to state before the Court that maximum 900 such shops would be permitted. Even for such huge number of shops to be permitted at the Marina Beach, the Court did not give its consent. However, after some time, the Government had come forward before this Court to state that the total shops permitted would be enhanced from 900 to 1352. Having taken note of this aspects, the said Division Bench of this Court, by an order dated 22.01.2020, has passed the following order,

*Learned Additional Advocate General
Mr.S.R.Rajagopal has produced before this Court,
a copy of the communication in
R.C.No.P1/035/2020 dated 07.01.2020 from
Dr.Jayanthi, Member Secretary, TNSCZMA &
Director, Department of Environment, Chennai, in*



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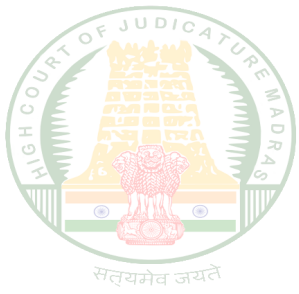


which certain observations have been made against the creation of Landside Loop Road Foot Path as directed in the earlier order of this Court dated 08.01.2020 and 16.12.2019.

2. Having perused that communication, this Court is not satisfied with the reasons assigned in the said communication for not approving the said plan for Foot Path and therefore, the said officer Dr.Jayanthi, Member Secretary, TNSCZMA & Director, Department of Environment, Chennai, is directed to remain present before this Court on the next date of hearing ie., on 29.01.2020.

3. Learned Additional Advocate General has filed the Status Report of the Greater Chennai Corporation dated 21.01.2020. We have perused the same, The points raised in the said Status Report dated 21.01.2020 are not satisfactory.

4. Firstly, the Greater Chennai Corporation appears to have taken a decision to raise the number of Shopping Carts to be placed in the Marina Beach from 900 to 1352. This Court had already expressed that the number of even 900 Carts at Marina Beach to be on higher side.



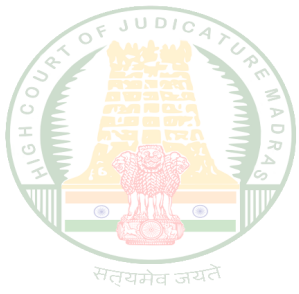
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Therefore, there appears to be no justification for raising the number of Shopping Carts from 900 to 1352.

5. We also make it clear that except the 900 Municipal Corporation owned Shopping Carts, no other street vendor shall be allowed at the Marina Beach at all. Therefore, the Corporation is directed to undertake the Tender Process only for 900 Shopping Carts at the Marina Beach in terms of the Calendar of Dates given in the Status Report ie., Publication regarding Floating of Tender before 05.02.2020, Invitation for Tender on or before 03.03.2020, and Finalizing of the Tender Process on or before 24.03.2020. In any case, the said Tender Process should be finalized before the end of March, 2020. No further time shall be extended for the said purpose, as the Court had already expressed that the process of Street Vending at the Marina Beach should be streamlined as expeditiously as possible.

6. The Court has also directed the learned Additional Advocate General to reduce the time frame of six months after March 2020 for supply of

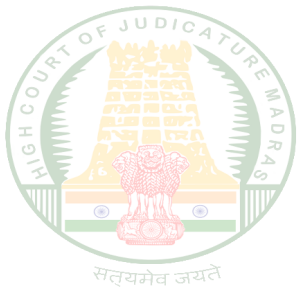


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such Shopping Carts to bare minimum. They may also consider getting such supply in staggered and phased manner. Learned Additional Advocate General submitted that the Corporation, in consultation with the Chief Secretary to the Government of Tamil Nadu is taking the final decision shortly regarding the modalities and time period for supply of these Carts and regarding the guidelines for allotment of these 900 Shopping Carts and Licence conditions. The said decision taken by the Corporation in consultation with the Chief Secretary to the Government may be placed before this Court on the next date of hearing ie., on 29.01.2020.

7. The Corporation has also indicated in the Status Report that the Corporation intends to charge only a sum of Rs.100/- as monthly rent to the allottees. This amount, in the present times, is abysmally low and is likely to throw open floodgates of applications for these carts to unmanageably large numbers. The Corporation should decide a realistic rate of Annual Licence Fees and Monthly Rental.



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8. *Learned Additional Advocate General further submits that the Annual Licensing Fees will be charged separately. However, that amount is also not indicated in the Status Report. The Corporation should therefore take a proper decision in this regard and fix the Annual Licensing Fees and Monthly Rental at a reasonable level and report the same on the next date of hearing ie., on 29.01.2020.*

4. Thereafter also some directions were given. However, during the month of March/April 2020, due to Covid-19 pandemic, the issue could not be pursued effectively and thereafter, the writ petitions, ie., W.P.Nos.16797 of 2015 & 9159 of 2018 and 28690 of 2018 were disposed by the orders of yet another Division Bench, dated 22.03.2021, whereby, mainly the plea raised by the writ petitioners in those writ petitions with regard to the allotment of funds for the Fishermen development alone had been dealt with. Be that as it may, after the Government had come forward to regularize the street vending at the Marina Beach by providing a uniform sized shops or movable shops to all those street vendors, who have been selected such kind of uniform sized shops were brought



in after spending huge amount by the Government. At one point of time, the

Government seems to have taken a decision not to distribute the same to the

vendors as some of the vendors raised objections about the size of the shops.

5.Today, when we asked the learned standing counsel for the respondent Corporation, he would submit that, subsequently those shops already been manufactured had been given to various other schemes. However, insofar as the Marina Beach street vending is concerned, no concrete scheme has come out for implementation. In the result, haphazardly the shops are placed at Marina Beach, thereby, heavy inconvenience is being caused to the people who throng in large number in the Marina Beach, especially in the weekend days and holidays.

6.In the present writ petition also one such street vendor had given a complaint and she has made a huge cry saying that some individuals in the name of Sangam are taking advantage of the issue of allotment of shops at their hands for illegal gratification with the connivance of the officials of the



respondent Corporation. Though it is only a complaint and has not been proved,

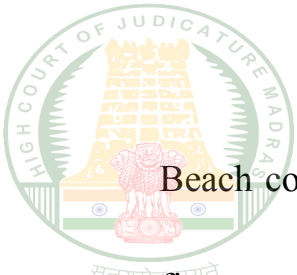
these kind of issues if again and again come before this Court for resolving, it

would be an unwarranted litigious area to resolve these kind of issues.

7. Therefore, in order to give a quietus to these kind of issues which are perennial in nature, we deem it appropriate to give the following directions:

(i) The Chennai Corporation represented by its Commissioner shall look into the matter as to how the street vending business at the Chennai Marina Beach is administered by the Chennai Corporation and as of now, what is the system being adopted in this regard and whether the Corporation of Chennai is having any scheme to streamline the street vending business in the Marina Beach be intimated before this Court.

(ii) The State Government represented by the Principal Secretary to the Government, Environment, Climate Change & Forest Department, Secretariat, shall have a consultative meeting with the officials of the Department along with the Commissioner of Corporation and the Police Department to prepare a preliminary report as to how this perennial problem of street vending at Marina



Beach could be sorted out and such a preliminary report to be prepared by the first respondent as indicated above shall also be filed before this Court.

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(iii)The Commissioner of Chennai Corporation is hereby directed to have a consultative meeting with the officials of the Police Department who are looking after the law and order, crime as well as the traffic in the concerned area/police stations touching upon the Marina Beach and file a status report as to how best law and order can be strictly maintained during not only the day time, but also in the evening and Wee hours in the Marina Beach as well as in the Beach road i.e., Kadarkarai Kamarajar Salai.

(iv)These three authorities, namely, the first, second and third respondents and the Commissioner of Police, Chennai, shall file such a preliminary reports after having the consultative meetings in the respective Departments for the best maintenance, administration and regulation of the Marina Beach, especially, in the context of the street vending therein. Those reports be filed before this Court during the next hearing date.

(v)The Commissioner of Police, Chennai City, is *suo motu* impleaded as one of the party respondent in this writ petition. Mr.M.Babu Muthu Meeran,



learned Additional Public Prosecutor takes notice for the impleaded respondent,

i.e., Commissioner of Police, Chennai City, to whom also a copy of this order

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be served. In view of the importance of the subject matter in this writ petition,

this Bench requests the learned Advocate General to appear on behalf of the

State during the next date of hearing.

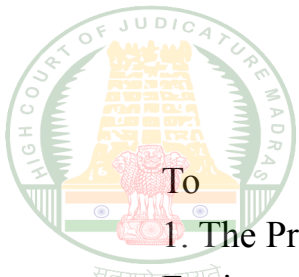
(vi)Registry is directed to carry out the necessary amendment in the cause title and post the matter on 15.10.2025 at 2.15 P.M. for filing preliminary reports as directed above.

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

24-09-2025

Note: Registry is directed to issue the order copy on 25.09.2025

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To

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Environment, Climate Change and Forest
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Fort St. George, Chennai-600 009.

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Greater Chennai Corporation,
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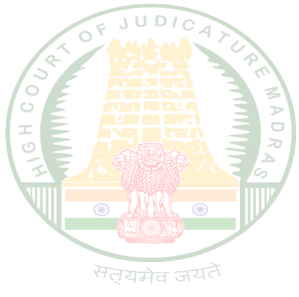
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WP No. 36085 of 2



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