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W.P.No.36085 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 02.01.2026

CORAM :

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

W.P.No.36085 of 2025 & W.M.P.No.40335 of 2025

S.Devi

.. Petitioner

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.
4. The Inspector of Police
D-6, Anna Square Police Station
Triplicane, Chennai – 600 005.
5. Kaviyarasu
6. Kalavathi
7. Jagadeesh

8. The Commissioner of Police
Chennai.

.. Respondents

(R8 impleaded *suo motu* vide order dated 24.09.2025
in W.P.No.36085 of 2025 by RSKJ & ADJCJ)



W.P.No.36085 of 2025

Prayer: Petition under Article 226 of the Constitution of India, praying for issuance of writ of mandamus, directing the second 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	:	Mr.S.Elankumaran
For Respondents	:	Mr.M.Suresh Kumar Additional Advocate General assisted by Dr.T.Seenivasan Special Government Pleader for R1
		Mr.P.S.Raman Advocate General assisted by Mr.D.B.R.Prabhu Standing Counsel for R2 and R3
		Mr.A.Gokulakrishnan Additional Public Prosecutor for R4 and R8
		Mr.M.Madhuprakash for R5 to R7

ORDER

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

Pursuant to our last order dated 19.12.2025, as we indicated therein, we had a physical inspection of the Marina Beach at Chennai on 22.12.2025 at 9.00 am. The representatives from the State Government, the Commissioner of the Greater Chennai



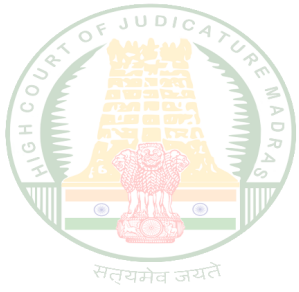
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Corporation¹, the Commissioner of the Greater Chennai Police, The District Collector, Chennai and other officials were present, apart from *Mr.M.Suresh Kumar*, the learned Additional Advocate General and his legal team.

2. The inspection went on nearly about two hours, where, we had a thorough inspection of the entire stretch of the Marina Beach. We had been explained by the Commissioner of GCC about the proposed improvements to be made at the Marina Beach by the GCC with the help of other stakeholders by creating Blue Flag Areas. According to them, three such Blue Flag Areas are to be formulated at the Marina Beach, out of which, one such Blue Flag Area has already been established and completed, which has been put to use for the general public.

3. The important feature of the Blue Flag Areas is that, the entire Blue Flag Area would be hawkers free. There are facilities provided for the kids/children for their play area. That apart, seats and recliners are provided in that area wherever it is possible for the elders who visit the Beach to have a seating for a while and the Blue Flag Area is fenced on both sides by way of temporary bamboo fencing.

¹ For brevity, hereinafter referred as "GCC".



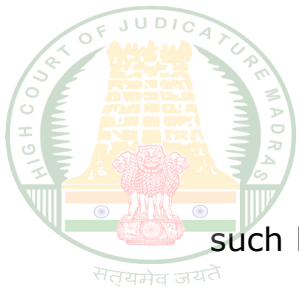
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4. It was reported to us during the inspection by the Commissioner of GCC and other officials that, two more such Blue Flag Areas are to be created at the Marina Beach. However, after having the inspection, we felt that, a huge area behind the Memorials of the Leaders at Marina Beach is being left unutilized, as in some parts, it is left as a grazing land, where stray cattle are freely allowed to graze.

5. Since that particular area is a very huge extent, approximately to an extent of 35 acres, it could be best utilized by creating one more Blue Flag Area, which suggestion made by us has been readily accepted by the Commissioner of the GCC and other officials and they assured that, immediate cleaning work would be commenced and the said land would be taken up for the purpose of creating one more additional Blue Flag Area.

6. Insofar as the location of the shops behind the Labour Statute, where a huge number of shops since have been established, almost in permanent nature, till closely to the high-tide area, which is about 280 meters from the service road, we feel that,



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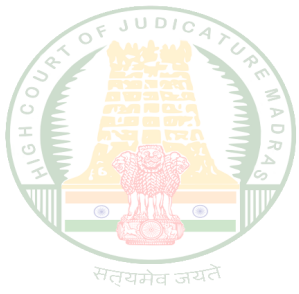
such huge number of shops, which are almost permanent in nature, could be replaced.

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7. Based on these observations which we have made during the inspection, of course after discussing with the concerned officials and stakeholders, today, when the case is taken up for further hearing, a Shop Count Map was submitted on behalf of the GCC, according to which, there are totally 1980 shops which are haphazardly located in the Marina Beach, which can be located in a row of shops as provided in the Shop Count Map, however, it was stated by the learned Advocate General that, these 1980 shops enumeration has come out only on the basis of the drone count, but, the actual counting would constitute to only 1417 shops.

8. However, the number of shops, whether on the basis of drone counting or actual physical counting, is alarmingly very high and unwarranted comparing with the need of the people who visit Marina Beach everyday.

9. We feel that, there are three variety of items, which could be sold at the Marina Beach for the public who visit everyday, they are:-



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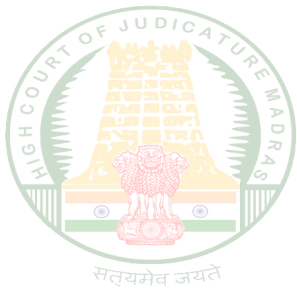


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- (i) Eatables;
- (ii) Toys and related goods; and
- (iii) Fancy goods or souvenirs, especially for the
usage of children and women.

Except these three categories of items, no other goods are need to be sold at the Marina Beach, as any other materials to be sold at the Beach area is clearly an unwarranted exercise to be undertaken, as the Beach is not a shopping mall or a shopping bazaar, but, it is only for the purpose of being a recreational area for the public, especially, the children and women who visit the Beach in large numbers on the weekend and in holidays to have a glimpse of the beauty of the Marina Beach, which is considered to be the second longest Beach in the World.

10. We also feel that, in order to place these three types of goods, which we have mentioned above, such huge number of shops are not required and/or unwarranted. If a very minimum number of shops for selling each of the categories of items are permitted to be placed at the Marina Beach, that too, in an orderly manner, that will cater to the needs of the people who visit the Marina Beach and in that case, the beauty of the Marina Beach would no way be hampered.

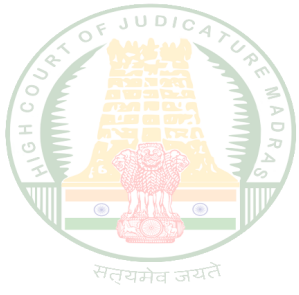


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11. That apart, in addition to the plan of the GCC to have three Blue Flag Areas, one more Blue Flag Area behind the Memorials of the Leaders also is proposed now, totaling to four Blue Flag Areas at Marina Beach and in all these Blue Flag Areas, there would not be any hawking activities and it is free of hawkers. The remaining area could be best utilized both for placing the shops in minimum numbers and the remaining area could be utilized by the general public to enjoy the beautiful atmosphere of the Beach.

12. Having these suggestions in mind, we further do feel that, the stakeholders, especially the GCC, in consultation with the other Agencies including the State Government as well as the Greater Chennai Police Commissionerate and the District Revenue Officials can draw a draft plan of Shop Counting with considerably reduced number of shops in three categories, namely, (i) Eatables; (ii) Toys and related goods; and (iii) Fancy goods or souvenirs, especially for the usage of children and women. If this draft Shop Counting Map, with the provision of four Blue Flag Areas, is drawn and is filed before us, the same would be examined and further decisions could be arrived at.



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13. In order to make these compliance and to file a revised draft plan, as indicated above, the GCC seeks a further week's time. Hence, post this matter on 08.01.2026 at 02.15 pm for such compliance.

(R.S.K., J.)

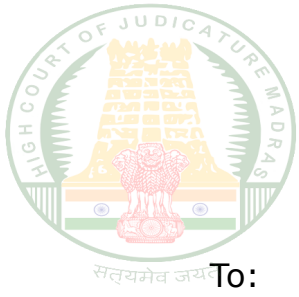
(A.D.J.C., J)

02.01.2026

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

Note: Issue order copy on 02.01.2026.

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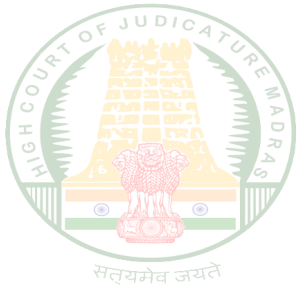


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R. SURESH KUMAR, J.
AND
A.D.JAGADISH CHANDIRA, J.
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