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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 27.04.2026

CORAM

THE HON'BLE MR.JUSTICE HEMANT CHANDANGOUDAR

W.P.(MD)No.10268 of 2026

and

W.M.P(MD)No. 8069 of 2026

1. Arumugakani
- 2.Pappa
- 3.Jeyalakshmi
- 4.Murugan
- 5.Manoharan
- 6.Murugammal
- 7.G.Chandran

.. Petitioners

-Vs.-

1. The District Collector,
District Collector Office,
Ramanathapuram,
Ramanathapuram District.
2. The Commissioner,
Ramanathapuram Municipality,
Ramanathapuram,
Ramanathapuram District.
3. The Superintendent of Police,
The Office of the Superintendent,
Ramanathapuram,
Ramanathapuram District.

.. Respondents



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Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of MANDAMUS directing the Respondents to consider the petitioners' representations dated on 09-02-2026 consequently direct the respondents to allow to reopen the shop for business at the same place.

For Petitioners : Mr.S.Bharathi

For Respondents : Mr.K.Saravanan
Standing Counsel
for R2

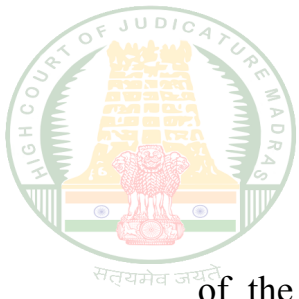
: Mr.P.Subbaraj,
Special Government Pleader
for R1

: Mr.M.Vaikkam Karunanithi
Government Advocate (Crl. Side)
for R3

ORDER

The petitioners are before this Court seeking a direction to the respondent to permit them to reopen their shops and carry on vending business at the same place.

2. The petitioners were issued street vendors' identity cards by the second respondent, permitting them to carry on vending business in front

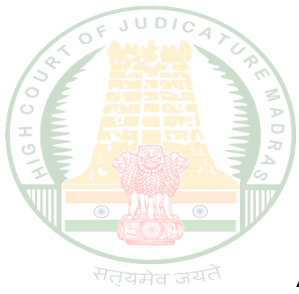


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of the entrance of the new bus stand at Ramanathapuram. During the subsistence of the said licence, the petitioners claim that they were evicted by the respondent Municipality without following due process of law.

3. The learned Standing Counsel for the second respondent Municipality submitted that the new bus stand was demolished in the year 2023 and that the petitioners were thereafter reallocated to an alternative location. Upon reopening of the new bus stand in 2025, the petitioners resumed vending activities, which allegedly caused traffic congestion. Consequently, they were evicted in terms of Clause 14 of the Tamil Nadu Street Vendors (Protection of Livelihood, Regulation of Street Vending and Licensing) Scheme, 2015.

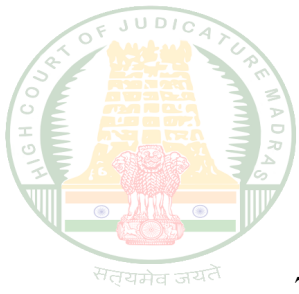
4. It is not in dispute that the licence granted in favour of the petitioners for carrying on vending business was valid up to 06.03.2026 and that the petitioners were evicted on 06.02.2026, during the subsistence of the licence.



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5. The learned counsel for the respondent Municipality further submitted that the subject area had been classified as a non-vending zone by the Town Vending Committee by proceedings dated 02.06.2025, and therefore, the petitioners have no subsisting right to carry on vending business in that location. Section 18(3) of the Street Vendors (Protection of Livelihood and Regulation of Street Vending) Act, 2014 provides that no street vendor shall be relocated or evicted without issuance of a thirty days' notice in the manner prescribed under the Scheme.

6. Clause 14 of the Tamil Nadu Street Vendors (Protection of Livelihood, Regulation of Street Vending and Licensing) Scheme, 2015 provides for eviction in cases where a vendor operates without a certificate or in a non-vending zone. However, the said provision must be read in conjunction with Section 18(3) of the Act, which mandates issuance of a thirty days' notice prior to eviction. Therefore, even in cases where a vendor is alleged to be operating in a non-vending zone, compliance with the statutory requirement of prior notice is mandatory.



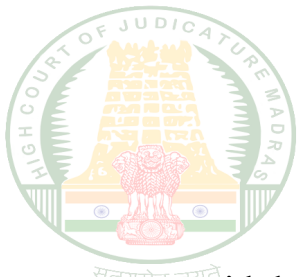
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7. In the present case, the respondents have not followed the procedure prescribed under Section 18(3) of the Act. No notice was issued to the petitioners prior to eviction. Therefore, the action of the respondents in evicting the petitioners is illegal and arbitrary.

8. In a similar context, the Kerala High Court, in W.P.(C) No. 27916 of 2025, by order dated 09.10.2025, emphasised that even in cases of alleged unauthorised vending, the statutory procedure must be strictly followed and that arbitrary eviction without notice amounts to violation of the right to livelihood under Article 21 of the Constitution of India.

9. In light of the above discussion, the eviction of the petitioners is in violation of Section 18(3) of the Act and is therefore liable to be set aside as arbitrary and unlawful.

10. Accordingly, this writ petition is allowed. The second respondent is directed to permit the petitioners to carry on vending business at the place specified in the identity cards issued to them. However, liberty is reserved to respondents 2 and 3 to take appropriate action in accordance



with law, after following due process.
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11. There shall be no order as to costs. Consequently, the connected miscellaneous petition is closed.

27.04.2026
(2/2)

Index : Yes/No
Internet : Yes/No
NCC : Yes/No
PJJ

To

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HEMANT CHANDANGOUDAR, J.

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