

W.P(MD).Nos.33317 of 2025 & 1044 of 2026

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

ORDER RESERVED ON : 20.01.2026

ORDER PRONOUNCED ON : 29.01.2026

**CORAM:
THE HONOURABLE MR.JUSTICE R.VIJAYAKUMAR**

**W.P.(MD).Nos.33317 of 2025 & 1044 of 2026
and WMP(MD).Nos.26280, 27532, 27964 of 2025,
and 820 and 821 of 2026**

Manithaneya Annaithu Varthagar Nalasangam
Rep.by its President Mr.Kabeer Ahamed
Having Office at 2 MG Complex
Madurai Road, Palakkarai
Trichy District

....Petitioner

Vs

1.The District Collector
Office of the District Collector
Trichy District

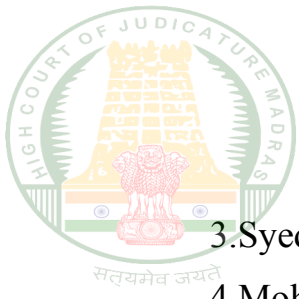
2.The Commissioner
Office of the Trichy Corporation
Trichy District

3.The Chairman
Office of the Town Vending Committee
Trichy Corporation
Trichy District

....Respondents

WP(MD).No.1044 of 2026

1.M.Mohamed Yusuf
2.Sarubudeen



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3.Syed Mustafa

4.Mohamed Rasool

5.Arunkumar

6.Amarjothi

7.Rajendran

8.Abdul Nayeem

9.Mohankumar

10.Balasubramani

11.Radha

12.Subramanian

13.Puhalendhi

14.Syed Samsudeen

15.Kathalingam

16.Sudarshan

17.Ravichandran

18.Rengabalan

19.Nagoor Meeran

20.Yasudeen

21.Selvakumar

22.Dinesh Kumar

23.Syed Abudahir

24.Zakir Hussain

25.Abdul Rasif

26.Akbar Khan

27.Tajdeen

28.Ismail

29.Karthikeyan



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30.Salavudeen

31.Mohammed Raja

32.Thangavel

33.Akila

34.Abbas

35.Sunitha Begum

36.Anburaj

37.Murugesan

38.Chinnaponnu

39.Mohamed Ibrahim

40.Mohammed Hanifa

....Petitioners

Vs.

1.The Commissioner
Trichy Municipal Corporation
Trichy

2.The Chairperson
Town Vending Committee
Trichy Municipal Corporation
Trichy

....Respondents

Prayer in WP(MD).No.33317 of 2025 : This Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus directing the respondent nos.2 and 3 not to evict or relocate the street vendors, hawker, peddler belongs to petitioner's association and similarly placed street vendors from their existing allotted vending zone at NSB Road, Vanappattarai Road, Chathiram Bus stand area including Indira College Road, WB Road, Kamarajar Arch Side area, Singara Thoppu area, Periyakadai Veethi area, without allocate the alternate vending zone in the light of provisions contained under Rules 13(1)(a)(b)(c)(d) based on the petitioner's



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representation dated 11.11.2025 within the time stipulated by this Court.

Prayer in WP(MD).No.1044 of 2026 : This Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus forbearing the respondents herein from in any manner dispossessing /evicting the petitioners from their present place of street vending at N.S.B Road, Trichy till the completion of survey as specified under sub section (1) clause (3) of the Street Vendors Protection of Livelihood and Regulations of Street Vending Act, 2014 and certificate of Vending is issued to all the street vendors, by considering the representation dated 16.12.2025 within the time stipulated by this Court.

WP(MD).No.33317 of 2025

For Petitioner : Mr.S.M.A.Jinnah

For Respondents :Mr.B.Saravanan
Additional Government Pleader for R1

: Mr.R.Baskaran
Additional Advocate General
Assisted by Mr.J.Sri Prasad
for M/s.R.B.Law Associates for R2 & R3

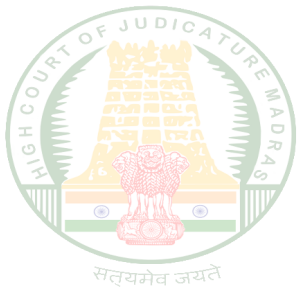
: Mr.K.Govindarajan
for Mr.R.Murali for proposed respondents

WP(MD).No.1044 of 2026

For Petitioners : Mr.B.Jameelarasu

For Respondents : Mr.R.Baskaran
Additional Advocate General
Assisted by Mr.J.Sri Prasad
for M/s.R.B.Law Associates

: Mr.K.Govindarajan
for Mr.R.Murali for proposed respondents



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COMMON ORDER

WP(MD).No.33317 of 2025 has been filed by a registered association of street vendors seeking a mandamus directing the Commissioner of Trichy Corporation as well as the Chairman of Town Vending Committee of the said Corporation not to evict or relocate the street vendors from their existing allotted vending zone at NSB Road, Vanappattarai Road, Chathiram Bus stand area including Indira College Road, WB Road, Kamarajar Arch Side area, Singara Thoppu area, Periyakadai Veethi area, without allocating the alternate vending zone in the light of provisions contained under Rule 13 of Tamil Nadu Street Vendors (Protection of Livelihood and Regulation of Street Vending) Scheme, 2015 based upon the representation given by the association dated 11.11.2025

2.WP(MD).No.1044 of 2026 has been filed seeking a mandamus forbearing the Commissioner of Trichy Municipal Corporation and Chairperson of Town Vending Committee of the said Corporation from in any manner dispossessing or evicting the petitioners from their present place of street vending at NSB Trichy till completion of survey as contemplated under Section 3 of the Street Vendors (Protection of Livelihood and Regulation of Street Vending) Act, 2014 (hereinafter called the Act) and certificate of



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vending to issue all the street vendors by considering the representation dated 16.12.2025.

3.Since the issue involved in both the writ petitions relate to the eviction of street vendors by Trichy Municipal Corporation and the allegations made in the writ petitions are similar, both the writ petitions are tagged together and a common order is being passed.

(A).Factual Matrix:

4.One P.Maheshwari Vaiyapuri had filed WP(MD).No.13745 of 2023 before the Hon'ble Division Bench seeking a mandamus as against the Revenue Officials, Municipal Corporation Officials and Hindu Religious and Charitable Endowment Officials to take immediate steps to restore the Theppakulam at Rockfort Temple Complex in Trichy City and its channel to bring water from the river of Cauvery to its original position and consequently direct the respondents to remove all encroachments around the Theppakulam within a time frame fixed by this Court.

5.On 13.06.2023, the Hon'ble Division Bench dealing removal of encroachment in waterbody had directed the Trichy Municipal Corporation to file a status report with regard to the present condition, encroachment committed, steps taken and whether there were any inlets and feeding channels for the tank are intact and possibility of restoration. The case was adjourned to 22.06.2023. When the matter was taken up on 10.08.2023, the



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Standing Counsel appearing for the Trichy Corporation has submitted that there is no inlet or outlet for the Theppakulam. Therefore, a direction was issued by the Hon'ble Division Bench to the District Collector to cause verification with reference to the earlier revenue records and file an affidavit.

6.On12.12.2023, the learned Additional Advocate General had submitted that the petition mentioned tank does not have any inlet or outlet. On 27.02.2024, the Division Bench had directed the learned Amicus Curiae to inspect the Theppakulam along with officials and find out the source of water and to file a report. On 21.08.2025, the Commissioner of Trichy Corporation appeared through video conferencing undertook to file an affidavit for removal of the encroachment in and around Theppakulam, Trichy. He further undertook to ensure that it will be classified as litter-free and no-vending zone. On 20.11.2025, the Division Bench recorded a finding that the restoration of inlet and outlet water source appears to be impossible and had recorded the submissions of learned Additional Advocate General that the encroachments around Theppakulam have been removed. For filing a report, it was adjourned to 11.12.2025. On 11.12.2025, recording the removal of encroachment, the writ petition was disposed of.

7.The present writ petitions have been filed by the individual street vendors who are carrying on street vending activities at NSB Road and an Association which represents street vendors for the same locality and nearby



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locality seeking a mandamus that they should not be evicted or relocated until provisions of the Central Act 7 of 2014 and the Scheme framed by the State of Tamil Nadu in the year 2015 are strictly complied with.

(B).Submissions of the Counsels appearing on either side:

8.Section 3(1) of the Street Vendors (Protection of Livelihood and Regulation of Street Vending) Act, 2014, the Town Vending Committee has to conduct a survey of existing street vendors in accordance with the plan for street vending and the holding capacity of the vending zone. As per Section 3(3) of the Act, no street vendor shall be evicted or relocated till the survey is conducted and subsequent on.

9.According to the petitioners, in the present case, the Town Vending Committee was constituted only on 30.05.2025. Thereafter, no survey has been conducted nor any certificate of vending has been issued by the said Town Vending Committee. In such circumstances, the Town Vending Committee ought not to have passed a resolution on 10.12.2025, declaring N.S.B. Road as no vending zone and should not have passed a resolution to relocate the street vendors.

10.The learned counsel for the petitioners had further submitted that the resolution was passed by the Town Vending Committee on 10.12.2025 without any consultation with the Traffic Police or the Police having jurisdiction over the concerned area. The respondents have orally directed the



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petitioners and the members of the petitioners association to vacate the place of business on or before 20.01.2026. Without issuing any proper notice, the oral instruction are clearly illegal and arbitrary.

11.The decision of the Town Vending Committee said to have been taken on 10.12.2025 was not at all circulated and was not given any wide publicity in the prominent public places as per provisions enumerated under the rules and scheme. Only publicity were given through newspaper on 13.12.2025 which is clearly illegal.

12.The petitioners have given a representation to the second respondent on 16.12.2025. As per Clause 20(1) (c) of the Tamil Nadu Street Vendors (Protection of Livelihood and Regulation of Street Vending) Schemes, 2015 person who is aggrieved about the designation of the vending zones by the Vending Committee is entitled to make a representation and the said representation has to be considered. The Town Vending Committee should pass orders within a period of 15 days. However, the written representation has not been considered. Without considering the said representation, now there is a threat of eviction.

13.The petitioner association has given a representation on 11.11.2025 to the second respondent and in the said representation, so far no orders have been passed. Without allocating the alternative vending zone in the light of the provisions under Clause 13 of the Scheme, the eviction cannot be carried



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out. However, the Town Vending Committee is attempting to forcibly evict the street vendors. On 13.11.2025 without serving any proper notice or intimation, the Town Vending Committee had forcibly demolished the petty road vending shop and thrown away their belongings by using police force on the ground that the said area is declared as a non-vending zone.

14.This Court in WP(MD).No.19421 of 2014 and in WP(MD).No. 17040 of 2019 has held that no eviction or relocation of the street vendors shall be made without following the due process under the Act including consultation with the Town Vending Committee. However, now the respondents are forcibly evicting the street vendors in violation of the statutory provisions and the scheme made thereunder and the orders passed by this Court. The petitioners were evicted on 09.01.2025 without following due process of law and therefore, their possession may be restored.

15.The learned counsel for the writ petitioners vehemently contended that the Town Vending Committee was constituted only on 30.05.2025 and thereafter, no survey has been conducted as contemplated under Section 3 of the Act. So far no certificate of vending has been issued by the Town Vending Committee. In such circumstances, the eviction or relocation of the street vendors is clearly in violation of the statutory provisions as well as the scheme framed by the State Government. The Town Vending Committee has not consulted the stakeholders before passing such a resolution declaring the



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area around Theppakulam as no vending zone.

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16.The resolution alleged to have been passed by the Town Vending Committee have not been communicated at all and the representation given by the writ petitioners and the Sangam have not been considered in the statutory provisions and the Scheme. In such circumstances, illegally and forcibly the petitioners and the members of the Sangam have been evicted and therefore, the respondents may be directed to restore the possession of the petitioners in their respective places and may be directed to continue the Street Vending Business until a proper survey is conducted and Certificate of Vending is issued by the Town Vending committee and a proper resolution is passed by the said Committee in touching upon the relocation of the vendors, if required. Hence, they prayed for allowing the writ petitions.

17.The learned Additional Advocate General appearing for the respondents submitted that the petitioners were issued with Street Vendor Identity Cards before Constitution of Town Vending Committee. After Town Vending Committee was constituted, a direction was issued by the Hon'ble Division Bench to declare the road in and around Theppakulam area as no vending zone. Thereafter, the Town Vending Committee, after deliberations, had arrived at a finding that the said area could be declared as no vending zone. Such a resolution was passed on 10.12.2025. In the said meeting, it was also resolved to allot another locality which is less than 100 meters away



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from the present street vending area.

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18.It was further resolved that the vendors would relocate themselves on or before 20.01.2026. The elected representative of the vendors have also participated in the said meeting and the resolution was unanimous. The learned Additional Advocate General had further submitted that the resolution was passed on 10.12.2025 and it was published in the newspapers. It was pasted in all the zonal offices of the Corporation so that the street vendors could have knowledge about the resolution and prepare themselves for relocation. He had further submitted that as per Scheme, after expiry of 30 days period, they were evicted on 11.01.2026. In such circumstances, the prayer in the present writ petitions seeking a mandamus not to evict them or relocate is not maintainable. He had further submitted that most of the street vendors have already moved to the new location. Only some of them have filed the present writ petitions.

19.The learned Additional Advocate General had further submitted that the shops were on the pavement and blocking drainage channel and in such circumstances, based upon the orders of the Hon'ble Division Bench as well as the resolution of the Town Vending Committee, the eviction have been carried out. He had further submitted that when the resolution of the Town Vending Committee is not put to challenge, the petitioners cannot have any grievance whatsoever with regard to the eviction carried out by the Municipal



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Corporation. The petitioners as well as the members of the Sangam have given some representations to the Town Vending Committee which could be considered by the said Committee. Hence, he prayed for dismissal of the writ petitions.

20.I have considered the submissions made on either side and perused the material records.

(C).Discussion:

21.The primary grievance of the writ petitioners and the members of the petitioners association is that after Town Vending Committee was constituted on 30.05.2025, no survey was conducted and certificate of Vending was not issued by the said Committee and in such circumstances, there cannot be any resolution passed by the Town Vending Committee declaring the certain areas as no vending zone and to relocate the existing street vendors to the new location.

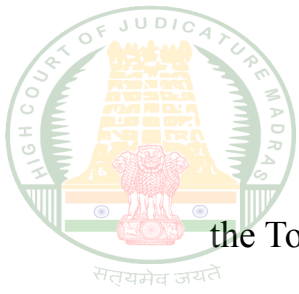
22.The election for the Town Vending Committee has taken place and the Committee got constituted on 30.05.2025. Thereafter, the Division Bench in WP(MD).No.13745 of 2025 has found that in and around Theppakulam at Trichy, various encroachments have been made which are causing blockage of water to Theppakulam which belongs to Rockfort Temple. Six months after the Town Vending Committee was constituted, the Town Vending Committee has met on 10.12.2025 and a resolution has been passed to the



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effect that N.S.B. Road, Kaliasman Kovil Street (Periyar Town to Theppakulam eastern portion) were declared as no-vending zone. The resolution was passed unanimously. The resolution further pointed out that as far as Kaliasman Koil Street vendors are concerned, they will get relocated to MLCP and Nandhi Koil Street before 15.12.2025. As far as street vendors in N.S.B Road from Malaikottai entrance to Katharbhavan is concerned, they will shift near Chathiram Bus Stand from Lalitha Jewellery to the entrance of Joseph School and to other places mentioned in the said resolution before 20.01.2026. The places earmarked for relocation in the said resolution reveals that all suggested relocation places are within 100 meters from the places where the petitioners and members of the petitioners association are carrying out their business. All the relocation sites are within the corporation limits and in the core part of the city.

23.The resolution passed by the Town Vending Committee has not been put to challenge by the writ petitioners. The resolution of the Town Vending Committee further reveals that it is clearly in consonance with Clause 13 of the Scheme framed by the Government of Tamil Nadu in the year 2015. As per Clause 18(3) of the Act, the street vendors shall be given 30 days notice before being evicted or relocated from the no vending zone. In the present case, admittedly the eviction has been carried out only on 11.01.2026 which is clearly 30 days beyond the date from which the resolution was passed by



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the Town Vending Committee.

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24.The petitioners herein, when they have not challenged the resolution of the Town Vending Committee with regard to the declaration of these areas as no vending zone, cannot have any right whatsoever to continue their street vending as a matter of right. As per Section 12(2), where an area is earmarked as no vending zone, the street vendors shall not be entitled to carry out any vending business in that zones. Therefore, in such circumstances, the street vendors or the society representing the street vendors cannot seek a mandamus as against the Corporation or the Town Vending Committee that they should not be evicted. They do not have any legal right to continue in the area which have been declared as no vending zones by the Town Vending Committee. Even as per Paragraph No.9 of the affidavit in WP(MD).No.1044 of 2026, the resolution of the Town Vending Committee dated 10.12.2025 has been notified in the newspapers. Therefore, the contention of the counsel appearing for the petitioners that the resolution was not properly informed to them cannot be countenanced.

25.When the Town Vending Committee has passed a resolution declaring a particular area as no vending zone and the petitioners and the members of the scheme have been put on notice about the said resolution, the action on the part of the Corporation Officials in evicting them after a period of 30 days from the date of resolution cannot be found fault with. In fact, the



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petitioners and the members of the petitioners sangam are sought to be relocated to a different place which is less than 100 meters from the place where they are already carrying on street vending activities. Those relocation sites are located within the core area of Trichy City.

26.The conduct of survey and issuance of identity cards under Section 3 of the Act is only to confer benefits upon the street vendors. Even assuming that the survey was not conducted by the Town Vending Committee or any certificate of vending was issued to the petitioners, now the rights of the petitioners as street vendors has been recognized and they have been relocated to a very nearer place. In such circumstances, the petitioners cannot have any grievance whatsoever.

27.The petitioner sangam in WP(MD).No.33317 of 2025 has given a representation on 11.11.2025 and the petitioners in WP(MD).No.1044 of 2026 have given a representation on 16.12.2025 to the Town Vending Committee. The said representations have to be considered by the Committee as contemplated under Section 20 of the Act and Rule 6 of the Tamil Nadu Street Vendors (Protection of Livelihood and Regulation of Street Vending) Rules, 2015. The said exercise shall be completed within a period of eight weeks from the date of receipt of a copy of this order.

28.In view of the above said deliberations, this Court is not inclined to entertain the present writ petitions and they are dismissed with the above said



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observations with regard to the disposal of the representation presented by the petitioners.

(D).Conclusion:

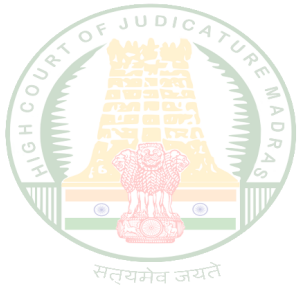
29.(a)WP(MD).Nos.33317 of 2025 and 1044 of 2026 stand dismissed.

b)The Town Vending Committee of the Trichy Corporation is directed to dispose of the representations given by the petitioners on 16.12.2025 and on 11.11.2025 within a period of eight weeks from the date of receipt of a copy of this order based upon the observation made by this Court. No costs. Consequently, connected miscellaneous petitions are closed.

29.01.2026

Internet : Yes/No
Index : Yes/No
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Note: Issue order copy on 29.01.2026.



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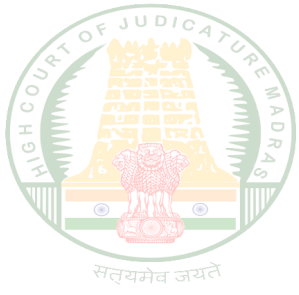
To

1.The District Collector
Office of the District Collector
Trichy District

2.The Commissioner
Office of the Trichy Corporation
Trichy District

3.The Chairman
Office of the Town Vending Committee
Trichy Corporation
Trichy District

4.The Section Officer
V.R.Section
Madurai Bench of Madras High Court
Madurai



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R.VIJAYAKUMAR, J.

msa

Pre-delivery order made in

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and WMP(MD).Nos.26280, 27532, 27964 of 2025,
and 820 and 821 of 2026

29.01.2026