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W.P.No.36085 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 20.01.2026

CORAM :

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

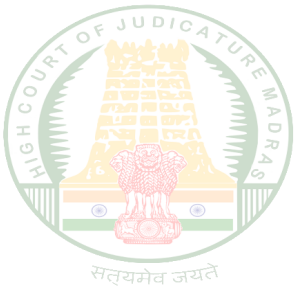
W.P.No.36085 of 2025 & W.M.P.No.40335 of 2025

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)



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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.)

During the last hearing, that is on 08.01.2026, we passed further orders, where, *inter alia*, we have passed the following orders:-

"3. During the last hearing, it was stated on behalf of the GCC that, on the basis of the enumerated number through drone counting, there were 1417 shops, however, in today's shops counting, as projected in the re-drafted plan, the counting suggests 1006 shops in perpendicular rows



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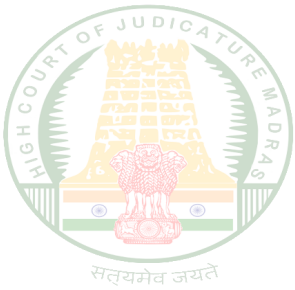
throughout the entire stretch of Marina Beach.

4. We heard Mr.P.S.Raman, learned Advocate General and Mr.M.Suresh Kumar, learned Additional Advocate General and further, we discussed with the Commissioner of GCC.

5. Even in the re-drafted map/sketch, we find a very large extent almost in the middle of the Marina Beach stretch, which is in between Bharat Scout Road and Parthasarathy Temple. This area, approximately, according to the Commissioner of GCC, would be more than 100 acres. If this area is made as a larger Blue Flag Area, that will be more helpful to beautify the Marina Beach and thousands of people could freely move to enjoy the Beach atmosphere. In this large extent of more than 100 acres, if it is made as a Hawkers Free Zone, by providing all other facilities which are required or expected to be provided in the Blue Flag Area under the International Standard, that will enhance the glory and beauty of the Marina Beach further.

6. The development of this area as an additional Blue Flag Area by merging the proposed Blue Flag Area - II combinedly and making it a larger extent of Blue Flag Area - II would be a dire need and this would be apart from the Blue Flag Area - I that has already been commenced as well as the Blue Flag Area - III which is going to be established at an extent of approximately 35 acres behind the Memorials of various Leaders.

7. If all these three Blue Flag Areas, as indicated above, are established and put to use with 100% Hawkers Free Zone, the lost



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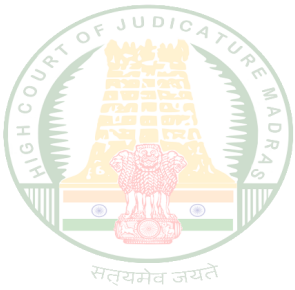


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glory and fame of Marina Beach, certainly, would be restored. In order to achieve this goal, we deem it appropriate to fix the maximum number of shops to be permitted at Marina Beach at an appropriate level, depending upon the need of selling of the three category of items which we have indicated in our last orders, that is, (i) eatables; (ii) toys; and (iii) fancy items and souvenirs.

8. Considering the space availability in the Marina Beach and also the required need of shops to be permitted at the Beach, only for the purpose of selling these three varieties of goods and eatables, we further deem it appropriate to restrict the number of shops to be permitted to be established at the Marina Beach as only 300. Out of these 300 shops, 100 shops would be allotted for each of these three categories of items, that is, 100 shops for eatables, 100 shops for toys and 100 shops for fancy and souvenirs. Further, it is open to the GCC and its Officials to make some alterations here and there in this counting based on the need of selling the items among these three categories. For instance, for eatables, if 120 shops are required and for fancy items, if only 60 or 70 shops are considered to be enough to cater to the needs, the enumerated count could be readjusted accordingly.

9. These 300 shops could be located in the following three places: (i) the first stretch of Hawkers Zone, that is between the main-way leading to the Blue Flag Area - III, that is leading from the Labour Statue and starting of the largest Blue Flag Area - II which we have indicated hereinabove and (ii) the area beyond the Blue Flag Area - II up to the southern end of the Beach exactly behind the Lighthouse. (iii) in between the



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Blue Flag Area - I and Blue Flag Area - II, there is yet another area, where also these hawkers could be permitted.

10. Only in these three areas, the hawkers would be permitted and in these areas, how these 300 permitted shops could be located could be identified by the Corporation and accordingly, a plan could be drawn.

11. Since the number of total shops/hawkers are reduced to 300, the allotment method is none other than by drawing Lot and for the purpose of conducting the Lot, we further deem it appropriate to entrust the job to the GCC, who should take this task only under the strict supervision of a Former Judge of this Court, who shall be appointed later.

12. The redrafting of the plan as per the number of shops indicated above as well as the three Blue Flag Areas shall be completed and the redrafted plan shall be filed before this Court during the next date of hearing. On verification of the same, once it is acceptable and approved, the drawing of Lot process could be undertaken and the same would also be indicated in our next order.

13. For the purpose of filing the redrafted plan, as directed above, post this matter on 20.01.2026 at 03.30 pm."

2. In pursuance to the said orders and directions given by us in the last order, today, when the matter is taken up for further hearing, *Mr.P.S.Raman*, the learned Advocate General has produced a map titled "*Marina Beach Layout*". The salient



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features of the said Marina Beach Layout map consist of the following:-

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(i) There are four Blue Flag Phases to be created in the entire stretch of the Marina Beach, out of which, Blue Flag Phase - I, with an area of 25 acres, has already been created and has been put to use for the public since September, 2025;

(ii) Regarding the remaining three Blue Flag Phases, that is Blue Flag Phase - II, Blue Flag Phase - III and Blue Flag Phase - IV, as per the layout map, the Greater Chennai Corporation (GCC) has proposed to create Blue Flag Phase - II with an area of 38 acres, Blue Flag Phase - III with an area of 23 acres and Blue Flag Phase - IV with an area of 35 acres;

(iii) Totally, 121 acres in the Marina Beach stretch has specifically been earmarked for these four Blue Flag Phases to be established, out of which, Blue Flag Phase - I has already been established;



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(iv) In between these four Blue Flag Phases, there are four blocks, where shops are proposed to be permitted. The total number of shops, as we directed in our earlier order referred to above, has been restricted to 300;

(v) In the area, that is between Blue Flag Phase - III and Blue Flag Phase - I, 100 shops would be located in four rows and each row will consist of 25 shops;

(vi) Like that, in between Blue Flag Phase - I and Blue Flag Phase - II, another set of 100 shops are proposed to be located in four rows and each row would consist of 25 shops;

(vii) Then, in between Blue Flag Phase - II and Blue Flag Phase - IV, yet another area, where 80 shops are proposed to be located in eight rows and each row will consist of 10 shops and the last area for locating the shops is at the southern end of the Marina Beach, that is beyond Blue Flag Phase - IV and behind the Lighthouse area, where, the proposed shops would be



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20 in numbers by way of two rows and each row will have 10 shops;

(viii) Therefore, totally 300 shops, as we indicated in our earlier orders, alone are permitted to be established by the GCC in the entire stretch of Marina Beach, as proposed in the Marina Beach Layout map submitted today by the GCC;

(ix) The learned Advocate General would submit that, in the four such areas, where totally 300 shops are proposed to be located, less than 2 acres of land alone is going to be utilized for locating the rows of shops consisting of all the 300 shops. Hence, the entire stretch of Marina Beach, except this small area, would be free of hawking, not only in the Blue Flag Phase areas, but also in the non-Blue Flag Phase areas.

3. On seeing this Marina Beach Layout map submitted by the GCC, we find that in the southern border of Blue Flag Phase - III, grown-up trees, in a row, are coming just out of the southern border, in which, we deem it appropriate to



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suggest that the row of trees on the southern border of Blue Flag Phase - III be included in the Blue Flag Phase - III and accordingly, the southern border could be fixed and the area of Blue Flag Phase - III also be correctly earmarked, as well as the shopping area in between Blue Flag Phase - III and Blue Flag Phase - I shall also be appropriately altered.

4.1. We have also indicated in our previous order that, the number of shops or hawkers since are reduced to 300, the allotment method is none other than by drawing lot and for the purpose of conducting the lot, it was mentioned in our earlier order that it would be appropriate to entrust the job to the GCC, who should take this task only under the strict supervision of a Former Judge of this Court, who shall be appointed later.

4.2. Now, the GCC since has provided the Marina Beach Layout map, in order to comply with the directions which we have given in our last order dated 08.01.2026 by restricting the total number of shops to 300 and the proposal to establish four number of Blue Flag Phases, out of which, one has already been established, we further deem to give directions



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to proceed with conducting of lot for selecting the 300 hawkers.

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5. In view of the aforesaid, the following further directions are issued:-

(i) That the Marina Beach Layout map, submitted by the GCC today before this Court, is accepted and approved, subject to the minor corrections and suggestions made by this Court;

(ii) In order to make ready the Marina Beach, for implementing this layout map by restricting the shops to 300 in the earmarked places and also to establish three more Blue Flag Phases apart from the one that has already been established, necessary groundwork could be commenced by the GCC forthwith;

(iii) For the aforesaid purpose of doing the groundwork, necessary support shall be rendered by the State Government and necessary security assistance shall be provided by the Greater Chennai Police headed by the Commissioner of Greater Chennai Police, with necessary force whenever it is called for by GCC;

(iv) For the purpose of conducting the lot, the GCC shall appoint an Adhoc Committee, headed by the Commissioner of GCC, consisting of other Officers of



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GCC and the Committee to be appointed under the Chairmanship of the Commissioner of GCC be provided to the Former Judge of this Court, to be appointed in this regard, who, on receipt of the constitution of the said Adhoc Committee for the purpose of conducting the lot, can take all necessary assistance from the Adhoc Committee, headed by the Commissioner of GCC, including Secretarial assistance;

(v) For the aforesaid purpose, we request *Hon'ble Thiru Justice N.Paul Vasanthakumar*, Former Chief Justice of the High Court of Jammu and Kashmir, to act as the Monitoring Authority for the task of conducting the lot;

(vi) In order to assist the Monitoring Authority, the following former Officers are appointed:

(a) *Mr.T.Mohan Raj*, Retired Principal District Judge and Former Judicial Member, NCLT, No.3, Model School Road, Thousand Lights, Chennai – 600 006.

Mobile No: 9841508735; and

(b) *Mr.R.Ranganathan*, Deputy Registrar (Retd.), High Court of Madras, No.4, Saptagiri Street, Chitalapakkam, Chennai – 600 064.

Mobile No: 9444464232.



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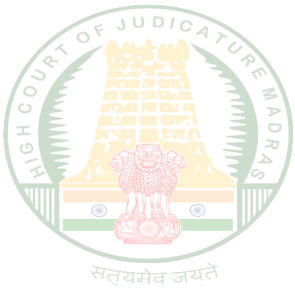
The initial honorarium for the Monitoring Authority is fixed at Rs.5,00,000/- (Rupees Five Lakhs Only) and for the two former Officers, Rs.2,00,000/- (Rupees Two Lakhs Only) each, which shall be paid by the GCC directly to the Hon'ble Judge and the Officers concerned.

(vii) All the 1417 shop owners, as per the list enumerated by the GCC, are eligible to participate in the process of lot;

(viii) The date, time and venue for conducting the lot would be fixed by the Former Judge/the Monitoring Authority;

(ix) All necessary preparatory works shall be undertaken by the Adhoc Committee under the directions and supervision of the Former Judge/Monitoring Authority;

(x) Once the process of lot is over and the selection of 300 hawkers is completed, the Former Judge/Monitoring Authority, with the assistance of the Adhoc Committee, is requested to prepare the entire selection list of 300 hawkers and that shall be released immediately thereafter.



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(xi) After completing all these processes, the Commissioner of the GCC shall file a detailed compliance report before this Court during the next date of hearing.

6. For the aforesaid purpose of filing a compliance report, post this matter on 04.03.2026 at 02:15 pm.

(R.S.K., J.) (A.D.J.C., J)
20.01.2026

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

Note: Issue order copy on 21.01.2026.

(drm)

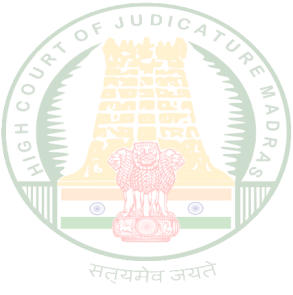


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5. The Commissioner of Police,
6. The District Collector, Chennai.
7. The Hon'ble Mr. Justice N.Paul Vasanthakumar
Former Chief Justice, High Court of Jammu and Kashmir.
- Retired Principal District Judge
and Former Judicial Member, NCLT
No.3, Model School Road, Thousand Lights
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9. Mr.R.Ranganathan
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R. SURESH KUMAR, J.
AND
A.D.JAGADISH CHANDIRA, J.

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20.01.2026