

**IN THE HIGH COURT OF MANIPUR
AT IMPHAL**

WP(C)No.468 of 2018

M/S Narayan Advertising Agency & 3 Ors.

...Petitioners

- Versus -

State of Manipur & 2 Ors.

...Respondents

BEFORE
HON'BLE THE ACTING CHIEF JUSTICE MR. M.V.MURALIDARAN
ORDER

30.03.2023

[1] Heard Mr Mr. N. Umakanta, learned counsel appearing for the petitioner, Mr. L. Raju, learned counsel appearing for the respondent Nos. 2 & 3 and Ratankumar, learned GA for the State respondents.

[2] This writ petitioner has been filed seeking the prayers as follow:-

a) make the rule absolute in case the Respondents fail to show cause or show sufficient cause in this regard;

(b) issue a Writ in the nature of Certiorari for quashing and setting aside the impugned order dated 28-05-2018 (Annexure A/4) as issued by the Asst. Municipal Commissioner (Revenue) Imphal Municipal Corporation (Respondent No.3);

(c) again, issue another Writ, also in the nature of Certiorari for quashing the resolution taken by the Imphal Municipal

Council/Corporation on 31-03-2018 and 04-04-2018 to blacklist the Petitioners agencies after calling records;

(d) issue another in the nature of Mandamus directing the Respondent No.2 to renew the Advertisement permits of the Petitioners with regard to the hoarding/bill boards erected by the Petitioners within the jurisdiction of Imphal Municipal Corporation on such terms and conditions that is permissible under the law;

(e) direct the Respondents to accept the payment made by the Petitioners with regard to any outstanding dues which they have been ready and wanting to pay;

(f) award the cost of the petition to be paid by the Respondent;

(g) allow the Petitioner to raise more points/grounds at the time of hearing of the petition whether interim or final;

(h) pass any other writs, orders. or directions as appropriate and favorable to the Petitioner and which the Hon'ble court deems just and fit in the facts and circumstances of the case;

[3] After issuance of notice, Mr. L. Raju, learned counsel appeared and the matter is taken for filing counter affidavit and disposal.

[4] When the matter is taken up today, Mr. L. Raju, learned counsel appearing for the respondent Nos. 2 & 3 produced an order dated 20.03.2023 which read as follows:

OFFICE OF THE
IMPHAL MUNICIPAL CORPORATION

ORDER

Imphal, the 20TH March, 2023.

No. IMC/100-II/Pt-V/[94](#)-2018 Whereas, order No IMC/100 II/Pt-V/94-2018 dated 28/5/2018 was issued for declaring 18 agencies including Narayan Advertising Agency as blacklisted agencies for all matters relating to hoardings/advertisement within the jurisdiction of Imphal Municipal Corporation The said order was issued in pursuance of the resolution adopted in the Corporation's meeting held on 31/3/2018 and 4/4/2018 Whereas, on further consideration, the said order dated 28/5/2018 was issued without affording chance of being heard to the

said 18 agencies, as the same was issued in pursuance of the Resolution adopted in the Corporation's meeting held on 31/3/2018 and 4/4/2018.

Whereas, recently, Secretariat: Home Department, Government of Manipur issued order No.H-3608/4/2022-HD-HD dated 15/12/2022 regarding restrictions to the display of statues, advertising hoardings, signboards, banners etc. on the National Highways, State Highways, other Roads, etc. The said order was issued in compliance of the directions of the Hon'ble High Court of Manipur passed in a Public interest Litigation case filed by Shri Khuraijam Devendra Singh. The operative and relevant parts of the said order are reproduced as hereunder:

"5. Now therefore, in view of the above, the Governor of Manipur is pleased to order that no statues, advertising hoardings, signboards, banners etc shall be put up in public places, Including Government Buildings and structures, National Highways, State Highways, Road, etc. without obtaining prior permission from the state Government/competent authority through the District Magistrate concerned. However, this Order shall not be applicable in case of advertising hoardings, signboards, banners, etc displayed on private properties, subject to appropriateness of the content in such hoardings and display In terms of the likely implication thereof on law and order and security of the State. Owners of the land/property shall be held responsible for and hoarding or display put up on private property/land, for any action sought to be taken under law In this regards;

6. Further, the Governor of Manipur is also pleased to direct DCs/District Magistrates to remove all such hoardings, structures and displays put up at public places falling under their respective jurisdiction immediately in public interest without any further delay. All District Magistrates are also directed to remove those hoardings, sing boards, banners etc with the objectionable contents (if any) put up at private places by issue of necessary notices to the owners of the private lands/properties falling under their respective jurisdiction within 15 (fifteen) days as may be applicable under the relevant applicable laws of the land in this regard;

7. The above instructions of the State Government shall be complied with strictly and any person or group of persons or society or organization found violating the above instructions shall be liable for prosecution and/or any lawful action that may be taken up under any law for the time being inforce, as may be applicable in that regard, and necessary legal action as deemed fit shall be initiated against them."

Therefore, in the aforesaid facts and circumstances, the earlier order No.IMC/100-II/Pt-V/94-2018 dated 28/5/2018 is hereby reviewed and stands cancelled. Further, it is also ordered that, any form of advertisement/ hoardings within the jurisdiction of Imphal Municipal Corporation shall be strictly in terms of the Secretariat: Home Department, Government of Manipur order No.H3608/4/2022-HD-HD dated 15/12/2022.

[5] Mr. L. Raju, learned counsel appearing for respondent Nos. 2 & 3 represented as per the above order, the orders challenged by the writ petitioner in the writ petition have been cancelled and

therefore, the writ petition itself has become infructuous. The learned counsel appearing for the petitioner admitted the same.

[5] Accordingly, this writ petition is closed as infructuous.

ACTING CHIEF JUSTICE

John Kom