

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 14.07.2015

CORAM

The Hon'ble MR.SANJAY KISHAN KAUL, CHIEF JUSTICE
AND
The Hon'ble MR.JUSTICE T.S.SIVAGNANAM

W.P.No.21074 of 2015

K.R.Ramaswamy alias Traffic Ramaswamy

.. Petitioner

-vs-

- 1.The Secretary,
Government of Tamil Nadu,
Highway (NH) Department,
Fort St. George,
Chennai-600 009.
- 2.The Secretary,
Government of Tamil Nadu,
Environment and Forest Department,
Fort St. George,
Chennai-600 009.
- 3.The Secretary,
Government of Tamil Nadu,
Municipal Administration and Water
Supply Department,
Fort St. George,
Chennai-600 009.
- 4.The Secretary,
Government of Tamil Nadu,
Rural Development Department,
Fort St. George,
Chennai-600 009.
- 5.The Cantonment Executive Officer,
Cantonment Board,
St. Thomas Mount,
Chennai.
- 6.The Divisional Engineer,
Highways Department,
Saidapet, Chennai-15.

.. Respondents

Petition under Article 226 of the Constitution of India praying
for issue of Writ of Mandamus by directing the respondents 1 to 5 to

consider the representation sent by the petitioner dated 10.04.2015 and directing the respondents to remove the private advertisement hoardings erected in Hoarding Free Zone from Kathipara Junction (KM 11/7) to Pallavaram (KM 19/6) since the erections are against the orders of this Hon'ble Court passed in W.P.No.28384 of 2005 dated 26.09.2006 and also ensure that no new hoardings shall be erected in the Hoardings Free Zone.

For Petitioner : Mr.S.Ganesan

For Respondents : Mr.STS.Moorthy
Government Pleader
assisted by
Mr.V.Shanmugha Sundar
Government Advocate for R1,R3 to R6

Mr.M.K.Subramaniam
Spl. G.P. (Forest) for R2

O R D E R

(Order of the Court was made by The Hon'ble Chief Justice)

The petitioner seeks consideration of the representation dated 10.04.2015, whereby he sought removal of the private advertisement hoardings erected in Hoarding Free Zone from Kathipara Junction to Pallavaram since the same was against the orders of this Court in W.P.No.28384 of 2005, decided on 26.09.2006.

2. The present writ petition appears to be a little too late in the day, as we are already in seisin of the matter. Suffice to say that permission was granted by the Cantonment Board, but on survey, it was found that the land claimed to be belonging to the Cantonment Board is of the National Highways Authority of India. The licensees have approached the Court earlier apprehending action on the alleged oral threats and since there was no material for the same, this Court dismissed the writ petitions with liberty to approach the Court, if the licenses were cancelled. It is informed to us by the learned Government Pleader that subsequently action has been taken for cancellation of the licenses and number of the hoardings have also been removed. However, in some writ petitions, there is status quo order and those writ petitions are in the process of filing the counter-affidavits to contest the matters.

3. The aforesaid shows that the Government authorities are conscious and aware of the illegality which is perpetrated from the licenses granted by the Cantonment Board's Executive Officer and are taking corrective steps. Even the Cantonment Board realising its illegality, has cancelled the licenses, as communicated to the Highways Authority and Divisional Engineer, Construction and Maintenance, Chennai City Roads vide letter dated 02.07.2015.

4. In view thereof, we close the writ petition. No costs.

Sd/-
Assistant Registrar

True Copy

Sub Assistant Registrar

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To

- 1.The Secretary,
Government of Tamil Nadu,
Highway (NH) Department,
Fort St. George, Chennai-600 009.
- 2.The Secretary,
Government of Tamil Nadu,
Environment and Forest Department,
Fort St. George, Chennai-600 009.
- 3.The Secretary,
Government of Tamil Nadu,
Municipal Administration and Water Supply Department,
Fort St. George, Chennai-600 009.
- 4.The Secretary,
Government of Tamil Nadu,
Rural Development Department,
Fort St. George, Chennai-600 009.
- 5.The Cantonment Executive Officer,
Cantonment Board,
St. Thomas Mount, Chennai.
- 6.The Divisional Engineer,
Highways Department,
Saidapet, Chennai-15.

1 cc to Mr.S.Ganesan, Advocate Sr.No.36287
1 cc to Government Pleader.Sr.No.35593

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pmk.29.7.2015

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