

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.09.2015

CORAM

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

W.P.No.28902 of 2015

M/s.AGN Communications,
rep. by its Managing Partner
(Hoarding Advertisers),
No.40, 41, Kalaimagal Street,
Jayalakshmi Nagar,
Moulivakkam,
Chennai-600 125. ... Petitioner

-vs-

- 1.The Chief Executive Officer,
St. Thomas Mount cum Pallavaram,
Office of the Cantonment Board,
St. Thomas Mount,
Chennai-600 016.
- 2.The Divisional Engineer,
State Highways Department,
City Road,
Guindy, Chennai. ... Respondents

(2nd respondent impleaded as per the
order of the Court dt. 15.09.2015 in W.P.No.28902/2015)

Writ Petition filed under Article 226 of the Constitution of India praying to issue of Writ of Mandamus forbearing the respondent from cancelling the Allotment Letter dt. 23.03.2015 in letter No.STM/REV/Advt/0419 issued by the respondent and thereby preventing the respondent from removing the existing advertisement hoardings at Cantonment areas at St. Thomas Mount.

For Petitioner : Mr.Ashok Menon

For Respondents : Mr.G.Masilamani
Senior Counsel for
Mr.C.Mohan for
M/s.King & Partridge for R1

Mr.STS.Moorthy
Government Pleader for R2

ORDER

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

In view of the pleadings of the parties and the submissions of the learned counsel for parties, now it transpires that there were six hoardings permitted on payment of licence fee for 2014-2015, for which licence fee of Rs.2,00,664/- was paid by the petitioner. For the subsequent year 2015-2016, the say of the first respondent is that additional payment of Rs.97,200/- is due. This is for six sites, but only two of them are the same sites as for 2014-2015, while the remaining are changed.

2. It is also not now disputed that out of these sites, three sites at Serial Nos.(i), (iii), (v) [4 hoardings] cannot be maintained, as they are on the highways and are in the Hoarding Free Zone. Thus, only Serial Nos.(ii) and (iv) can be maintained.

3. There is some issue qua settlement of the accounts for two years as submitted by the learned counsel for the petitioner and the amount, if any, has to be paid is for the two hoardings, which are surviving. That is the matter, which the petitioner and the first respondent can settle between themselves, if they are able to do so.

4. The writ petition, accordingly, stands disposed of. No costs.

Sd/-

Assistant Registrar

True Copy

Sub Assistant Registrar

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To

1.The Chief Executive Officer,
St. Thomas Mount cum Pallavaram,
Office of the Cantonment Board,
St. Thomas Mount,
Chennai-600 016.

2.The Divisional Engineer,
State Highways Department,
City Road,
Guindy, Chennai.

1 cc to Mr.Ashok Menon , Advocate Sr.No.51619
1 cc to M/s.King & Partridge, Advocate Sr.No.51653
1 cc to Government Pleader.Sr.No.5

W.P.No.28902 of 2015

gr(co)

pmk.5.10.2015