

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 03.09.2015

CORAM:

THE HONOURABLE MR.SANJAY KISHAN KAUL, CHIEF JUSTICE
AND
THE HONOURABLE MR.JUSTICE T.S.SIVAGNANAM

Writ Petition No.19317 of 2014
and
M.P.No.1 of 2014

M/s.True Value Homes(I) Pvt., Ltd.,
represented by its General Manager - Liaison
Mr.R.Sundara Rajan
No.21, C.V.Raman Road,
Alwarpet, Chennai 600 018

... Petitioner

Versus

1.The District Collector,
Chennai.

2.The Commissioner
Corporation of Chennai
Ripon Buildings
Chennai 600 003.

3.The Commissioner of Police
Egmore, Chennai 600008.

... Respondents

Petition filed under Article 226 of the Constitution of India praying for the issue of a writ of Mandamus, forbearing the respondents from in any manner interfering with the petitioner's right to carry on trade and business by cutting/removing or defacing the petitioner's name/sign boards displaying its own name kept at the project sites of the petitioner.

For Petitioner : Mr.S.Natarajan

For Respondents : Mr.S.T.S.Murthy
Government Pleader
assisted by
Mr.V.Shanmughasundar
Government Advocate for R.1

Mr.A.Nagarajan for R.2

O R D E R

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

In this petition, there is no controversy over the fact that the petitioner is promoting its own project through Boards and Wall paintings.

2. It is the case of the petitioner that this is permissible as the petitioner is promoting only its project at the sight.

3. On the other hand, it is contended by the learned counsel for the respondent that it is still an advertisement and the definition of advertisement in Rule 2(b) "Advertisement" of Chennai City Municipal Corporation Licensing of Hoardings and Levy and Collection of Advertisement Tax Rules, 2003, is exhaustive enough to include such promotion.

4. On the aforesaid aspect, learned counsel for the petitioner states that if a tax/charge has to be paid by the petitioner, the petitioner is willing to do so, but his walls may not be defaced in the mean time.

5. In view of the aforesaid position, we grant one month's time to the petitioner to obtain permission, if any, along with payment of fees/tax for the advertisement and during this period of time, no defacement will take place. If the petitioner fails to make the payment or obtain permission, then the respondents are at liberty to proceed with the defacement.

The writ petition accordingly stands disposed of. No costs.
Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

ksr

To

1.The District Collector,
Chennai.

2.The Commissioner,
Corporation of Chennai,
Ripon Buildings,
Chennai 600 003.

3.The Commissioner of Police,
Egmore, Chennai 600008.

+2cc's to M/s.K.S.Natarajan, Advocate, S.R.No.47690 & 48359
+1cc to the Government Pleader, S.R.No.48122

W.P.Nos.19317 of 2014

RSI (CO)
CA(23/09/2015)

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