

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 30.11.2015

CORAM :

The Honourable Mr.Justice T.S.SIVAGNANAM

Writ Petition No.37963 of 2015 and MP.No.1 of 2015

R.S.Ramesh

...Petitioner

Vs

- 1.The Commissioner, Corporation of Chennai, Ripon Buildings, Chennai-3.
- 2.The Zonal Officer, Corporation of Chennai, Zone XIII, Adyar, Chennai-20.
- 3.The Assistant Engineer, Corporation of Chennai, Zone XIII, Adyar, Chennai-20.

...Respondents

PETITION under Article 226 of The Constitution of India praying for the issuance of a Writ of Mandamus forbearing the respondents from removing or disturbing the digital/sign board erected in the premises of the petitioner shop at ground floor, door No.11/2, Sakrapani Street, Maduvangarai, Guindy, Chennai-32, except under due process of law.

For Petitioner : Mr.S.Kumaran

For Respondents : Mr.P.V.Selvakumar

ORDER

Mr.P.V.Selvakumar, learned Standing Counsel takes notice for the respondents. Heard the learned counsel for the petitioner. By consent, the writ petition itself is taken up for final disposal.

2. The petitioner is a lessee of the premises at door No.11/2, Sakrapani Street, Maduvangarai, Guindy, Chennai-32 and is said to be carrying on business by running an airtel outlet for recharge, top-up of SIM cards, etc. The petitioner is said to have erected a digital/sign board in the said premises, which, according to the petitioner, displays only the materials, which are available for sale in his business outlet. Therefore, the petitioner would state that he is entitled to exemption in terms of Rule 11 of the Tamil Nadu Urban Local Bodies

(Permission for Erection of Digital Banners/ Placards) Rules, 2011. However, it is seen that the petitioner has not made any representation in this regard.

3. Therefore, the writ petition is disposed of with a direction to the petitioner to submit a representation, with adequate proof along with photographs, to the third respondent. On receipt of such representation, the third respondent shall inspect the premises and if it is found that the petitioner is entitled to the benefit of exemption under Rule 11 of the said Rules, pass appropriate orders in this regard within two weeks from the date of receipt of the representation from the petitioner. It is made clear that till such orders are passed by the third respondent, status quo prevailing as on date shall be maintained. No costs. Consequently, the above MP is closed.

Sd/-
Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

To

- 1.The Commissioner, Corporation of Chennai, Ripon Buildings, Chennai-3.
- 2.The Zonal Officer, Corporation of Chennai, Zone XIII, Adyar, Chennai-20.
- 3.The Assistant Engineer, Corporation of Chennai, Zone XIII, Adyar, Chennai-20.

+1cc to Mr.S. Kumaran, Advocate, S.R.No.64826
+1cc to M/s. P.v. Selvakumar, Advocate, S.R.No.64836

PPA(CO)
EU(14/12/2015)

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