

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 25.02.2015

Coram:

THE HONOURABLE MR.JUSTICE T.S.SIVAGNANAM

Writ Petition Nos. 4431 to 4433 of 2015  
and  
M.P.Nos.1 to 1 of 2015

M/s Annai Arts  
rep. By its Partner B.Nagarajan  
No.587, Old No. 233/120,  
Chinnakadai Street,  
Salem - 636 0001 ...Petitioner in W.P.No.4431 of 2015

M/s Moon Arts  
rep. By its Proprietor  
M.Ramachandran  
No.47, 3<sup>rd</sup> Pulikuthi Street,  
Gugai, Salem - 636 006 ...Petitioner in W.P.No.4432 of 2015

M/s Moorthy Arts,  
rep. By its Partner N.D.Sokratees  
95, Appu Chetty Street,  
Shevapet, Salem - 636 002 ...Petitioner in W.P.No.4433 of 2015

Vs

1. The Collector,  
Salem District, Salem.

2. The Commissioner,  
Corporation of Salem,  
Salem.

...Respondents in all the petitions

Prayer: Writ Petitions filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus forbearing the 2<sup>nd</sup> respondent or his agents or servants from interfering with the display of advertisement in the hoardings erected by the petitioner, the list of which is annexed to this writ petition.

For Petitioners : Mr.T.R.Rajagopalan  
Senior counsel

For Respondents : Mr.R.Vijaykumar for R1  
Additional Government Pleader

Ms.K.Bhuvaneswari for R2

C O M M O N O R D E R

Heard Mr.T.R.Rajagopalan, learned senior counsel for the petitioners and Mr.R.Vijaykumar, learned Special Government Pleader for first respondent and Ms.K.Bhuvaneswari, learned counsel accepts notice for the 2<sup>nd</sup> respondent. With the consent of either side, the Writ Petitions itself are taken up for final disposal at the admission stage.

2.Since the issue involved in all the writ petitions are one and the same, they are taken up together and a common order is being passed.

3.The petitioner is in the field of advertisement and has erected hoarding in various places within the Salem Municipal Corporation limits. According to the petitioner all the hoardings are licensed and possessing valid license.

4. The allegation is that the 2<sup>nd</sup> respondent is interfering with the business by directing his subordinates to remove the advertisement displayed and it is stated that without issuing any notice, the respondents are attempting to remove the hoardings and in this regard, a representation has been given by the petitioners on 16.02.2015.

5. The petitioners would state that they hold a valid license and the hoardings cannot be interfered unless and until there is violation of condition. If it is so, notice has to be issued to the petitioners pointing out the violation. Without resorting the same, the 2<sup>nd</sup> respondent is attempting to remove the hoardings, which has been licensed.

6. In the light of the above, there shall be a direction to the 2<sup>nd</sup> respondent to consider the representation of the petitioners dated 16.02.2015 and pass orders on merits and in accordance with law within a period of four weeks from the date of receipt of copy of this order and if the petitioners hoardings are licensed then, there

shall not be any interference without issuing notice to the petitioners pointing out as to why the hoardings should be interfered. Till then, the hoardings, established by the petitioners shall not be interfered.

With the above direction these writ petitions are disposed of. Consequently connected miscellaneous petition are closed. No costs.

Sd/-  
Deputy Registrar(J)

//True Copy//

Sub Assistant Registrar

ssd

To

1. The Collector,  
Salem District, Salem.
2. The Commissioner,  
Corporation of salem,  
Salem.

3 CCs to B.S.G. Firm, Advocate SR.No. 10192 to 10194

Writ Petition Nos. 4431 to 4433 of 2015 and  
M.P.Nos.1 to 1 of 2015

NM (CO)  
PSI (03.03.2015)

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