

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 20.07.2016

CORAM :

The Hon'ble MR.SANJAY KISHAN KAUL, CHIEF JUSTICE

AND

The Hon'ble MR.JUSTICE R.MAHADEVAN

W.P. No.13164 of 2016

M/s.Impressions Outdoor and Marketing
Private Limited, Rep. By its Director,
Mr.N.Badri Narayanan, Flat No.2,
Sivaguru Illam, No.16 (Old No.35)
West Road, West C.I.T. Nagar,
Nandanam, Chennai 600 035. ... Petitioner

-vs-

- 1.The Government of Tamil Nadu,
Rep. By its Secretary, Highways
and Minor Parts (HP1) Dept.,
Secretariat, Chennai 600 009.
- 2.The Divisional Engineer (C & M)
Highways Department, Salem Division,
Salem-7.
- 3.The Assistant Divisional Engineer
(C & M), Highways Department,
Salem Division, Salem-7.
- 4.The District Collector,
Salem District, Salem.
- 5.Salem Corporation,
Rep. By its Commissioner,
Salem. ... Respondents

Petition filed under Article 226 of the Constitution of India praying for issue of Writ of Certiorari to call for the records of the respondents, pertaining to the impugned orders of the 3rd respondent in Letter No.Works/2016/E.Va.A. Dated 03.03.2016, Letter No.Works/ 2016/E.Va.A. dated 15.03.2016 and the impugned order of the 2nd respondent in Letter No.437/2016/E.Va.A1, dated 19.03.2016 and quash the same.

For Petitioner : Mr.Muthumani Doraisami
For Respondents : Mr.S.T.S.Murthi,
Govt. Pleader, assisted by
Mr.V.R.Kamalanathan, Addl.G.P.
for RR 1 to 4
: M/s.K.Bhuvaneswari for R-5

O R D E R

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

In the course of the proceedings today, with the assistance of the learned counsel for parties and the respective parties present, it has been possible to resolve the matter in issue. We may notice that the litigation really arose out of the requirement of the infrastructural project to make an over bridge which required bringing down of the foot over bridge constructed at the cost of the petitioner, where he was given certain commercial rights in lieu of having borne the construction costs.

2.It is now agreed as under:

1. The petitioner will be permitted to display the advertisements on the existing foot over bridge till 30.09.2016;
2. The petitioner will be given alternative space in five different places, i.e. i) Near Salem Government Arts College, ii) Near Guruvayurappan Temple in Salem New Bypass Road (Left side), iii) Near Guruvayurappan Temple in Salem New Bypass Road (Right side), iv) Near Reddipatti Roundana in Steel Plant Road, and v) Near 3 roads junction, as space is not available in one place, totally measuring 4328 sq. feet.
3. The rights to such display would be for the balance unexpired period of five years plus another three years which would have happened in the normal course as per the original understanding on the same terms and conditions.
4. Since fresh permissions would be required by the petitioner, the respondents to cooperate in the same.

3.We appreciate the constructive approach adopted by the parties and the learned counsels specifically the respondents in resolving this issue.

4.Writ petition stands disposed of. The interim order already granted stands vacated. No costs.

Sd/-
Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

sra

To

- 1.The Secretary to Government of Tamil Nadu,
Highways and Minor Ports (HP1) Dept.,
Secretariat, Chennai 600 009.
- 2.The Divisional Engineer (C & M)
Highways Department, Salem Division,
Salem-7.
- 3.The Assistant Divisional Engineer
(C & M), Highways Department,
Salem Division, Salem-7.
- 4.The District Collector,
Salem District, Salem.
- 5.The Commissioner, Salem Corporation,
Salem.

- + 1 cc to M/s. Muthumani Doraisami, Advocate SR.41034
- + 1 cc to K. Bhuvaneswari, Advocate SR.41323
- + 1 cc to Government Pleader Sr.41106

W.P.No.13164 of 2016

VS(CO)
Eu 25.07.16

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