

WP No.19556 of 2015

The Hon`ble The CHIEF JUSTICE
and
The Hon`ble Mr Justice M. SUNDAR

K.Muthukrishnan
S/o.Kuppusamy, 19/7, Tondiar Nagar,
First Street, Tondiarpet, Chennai-600
081.

Vs

The State of Tamilnadu
Rep. by its Secretary, Municipal
Administration and Water Supply
Department, Tamilnadu Secretariat,
Chennai-600 009. and 52 others.

On a perusal of the status report filed by respondent No.3, we found that in paragraph 2, there was a mention of "exhibition of advertisements, hoardings, erections of other things".

2. We had asked the learned Additional Advocate General to point out the distinction between the three phrases by reference to the Chennai City Municipal Corporation Act, 1990 and the Rules framed thereunder. He is not able to point out any such thing at present. We drew his attention to Section 326 of the said Act, which is a definition clause defining "hoarding", and which in turn mentions that such hoarding is "used for exhibiting advertisement". The learned Additional Advocate General states that he would like to obtain proper instructions in this behalf.

3. The learned counsel for the petitioner states that the status report is not reflective of the correct position, as there are still number of hoardings which exist and all that has done is before the hearing date, the screen is rolled down and again re-installed. In fact, the petitioner has volunteered to bear the costs of the Local Commissioner, who may be deputed for the said purpose. Before we proceed to do that, we would like the Commissioner of Chennai Corporation to

look into the issue of the working of the Committee and the grievances made by the petitioner and file a personal affidavit, after he has verified the position by himself.

4. On intimation by the Commissioner of Chennai Corporation, the learned counsel for the petitioner may assist him in this behalf.

5. List on 16.02.2017.

[CJ] [M S J]

19/01/2017

bbr

<http://www.judis.nic.in>