

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 17.08.2016

CORAM :

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

The Hon'ble MR.JUSTICE R.MAHADEVAN

W.P. No.28664 of 2016

and

WMP.No.24742 of 2016

M/s.Doshi Constructions,
rep. by its Partner Mr.Harshad V.Doshi,
"Doshi Towers" 9th Floor,
No.156, Poonamallee High Road,
Kilpauk, Chennai-600 010. ... Petitioner

-Vs-

1. The Commissioner,
Corporation of Chennai,
Ripon Building,
Chennai-600 003.
2. The Zonal Office,
Corporation of Chennai,
Zone No.10,
Arcot Road, Vadapalani,
Chennai-600 026.
3. The Assistant Engineer,
Corporation of Chennai,
Ward No.130,
No.2, Amman Koil Street,
Vadapalani, Chennai-600 026.
4. M/s.MEC International Private Limited,
(formerly known as M/s.Madras Electrical
Contractors Private Limited),
No.6, (Old No.37), Arcot Road,
Vadapalani, Chennai-600 026. ... Respondents

Petition filed under Article 226 of the Constitution of India praying for issue of Writ of Mandamus forbearing the respondents 1 to 3 from any manner permitting the 4th respondent

to erect any hoarding or unauthorised construction without planning permission in the land owned by the petitioner situated at No.6, Old No.37, Arcot Road, Saligramam, Chennai - 600 026, against the provisions of Chennai City Municipal Corporation Act and Tamil Nadu Urban Local Bodies (Permission for Erection of Digital Banners and Placards) Rules, 2011.

For Petitioner : Mr.K.M.Vijayan
Senior Counsel for
M/s.K.M.Vijayan Associates

For Respondents : Mr.K.Soundararajan for R1 to R3

O R D E R

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

On hearing the learned Senior Counsel for the petitioner and perusal of the petition, we find that the issue emanates from a landlord and tenant dispute. The petitioner claiming to be the owner seeks to now prohibit the tenant/respondent No.4 from installing the hoarding in their premises. It is alleged that respondent No.4 is erecting the hoarding without having obtained the No Objection Certificate from the land owner.

2. We are of the view that the aforesaid aspect is to be analyzed only by the Licensing Authority as to whether all norms as required in law have been fulfilled for installing the hoarding and in so far as the disputes between the petitioner and respondent No.4 are concerned, those have to be the matters before the Civil Court.

3. We are thus not inclined to issue any directions, except that if the license has been issued, it can be verified by the Licensing Authority/respondent No.1, whether all norms as required for issuance of the license have been fulfilled.

4. The writ petition, accordingly, stands disposed of. No costs. Consequently, WMP.No.24742 of 2016 is closed.

Sd/-
Assistant Registrar(CS VI)

//True Copy//

Sub Assistant Registrar

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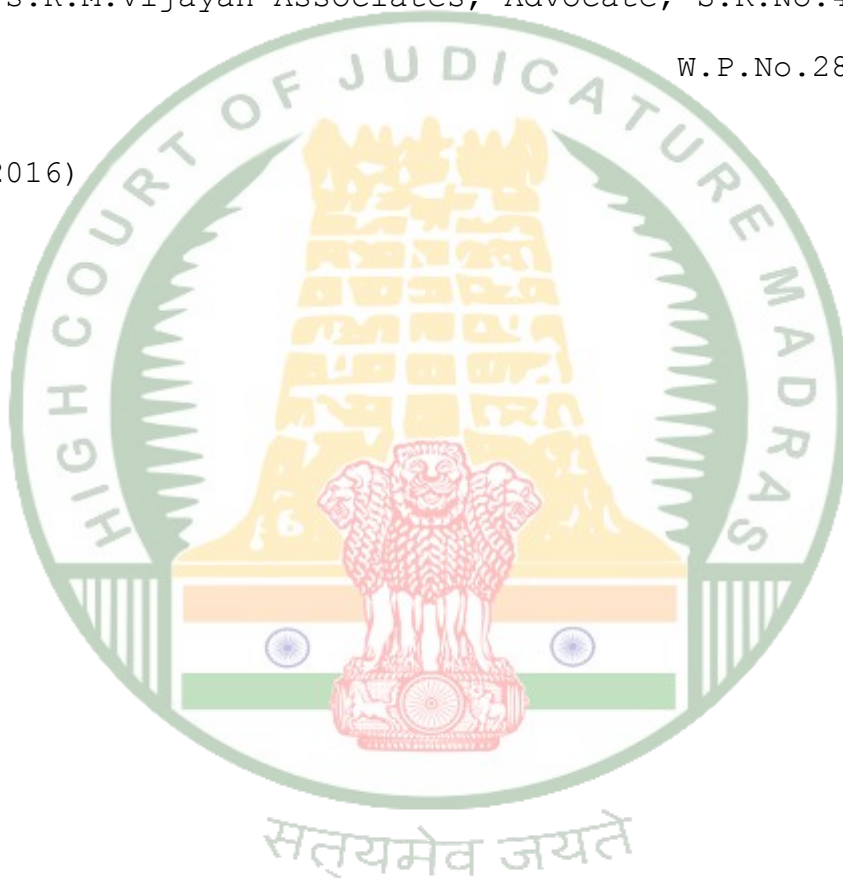
To

The Commissioner,
Corporation of Chennai,
Ripon Building,
Chennai-600 003.

+lcc to M/s.K.M.Vijayan Associates, Advocate, S.R.No.47301

W.P.No.28664 of 2016

MP(CO)
CA(31/08/2016)



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