

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.03.2016

CORAM

THE HONOURABLE MR. JUSTICE R.SUBBIAH

W.P.No.9320 of 2016

M.Pandi

... Petitioner

Vs.

1.The Collector

Chennai District,
Rajaji Salai,
Chennai-1.

2.The Commissioner,

Corporation of Chennai,
Rippon Building
Chennai-3.

3.The Commissioner of Police

Chennai City,
Vepery, Chennai-7.

4.The Inspector of Police (Law and Order)

N1, Royapuram Police Station,
Chennai.

... Respondents

Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of mandamus to direct the respondents to restrain all political parties their men, agents, servants, etc from erecting illegal banner or hoardings or posters in from the petitioner's property situated at Old No.1, New No.124, Block No.45, Surya Narayana Chetty Street, Royapuram, Chennai-600 013.

For Petitioner : M/s.S.Ashok Kumar

For respondents : Mr.V.Jayaprakash Narayanan,
Special Government Pleader
for R1, 3 and 4.

Mr.P.V.Selvakumar for R2.

O R D E R

With the consent of both sides, the Writ Petition is taken up for final disposal.

2.The petitioner has come up with the present writ petition for issuance of writ of mandamus to direct the respondents to restrain all political parties their men, agents, servants, etc from erecting illegal banner or hoardings or posters in from the petitioner's property situated at Old No.1, New No.124, Block No.45, Surya Narayana Chetty Street, Royapuram, Chennai-600 013.

3.The petitioner purchased the property measuring 1982sq.ft situated at Old.No.1, New No.124 comprised in Old RS.No.2219 present RS.No.3019/1, Block No.45, Surya Narayana Chetty Street, Royapuram, Chennai-13. The petitioner and his family members purchased the said property from one Sri Sathya Sai Central Trust by way of registered sale deed dated 31.03.2005 vide document No.1016 of 2005 registered on the file of Sub Registrar, Royapuram. The said property is in prime location and the same is surrounded by the Kalmandapam Road and Suryanarayana Chetty Street, connecting to various offices, companies, hospitals, restaurants etc., surrounded in that area. Despite the fact, that no political parties can erect illegal banner or hoarding without valid permission from the concerned authority and owner of the building and the political parties are erecting illegal banner and hoarding in front of the petitioner's building, thereby preventing the ingress and egress to the petitioner's property.

4.The petitioner submitted his representation dated 25.02.2016 to all the respondents to restrain the political parties in erecting the illegal banner and hoardings in front of the petitioner's property. But no action has been taken by the respondents till date to remove the banner and hoardings, erected in front of the petitioner's property. Hence, the petitioner filed the present writ petition.

5.The fourth respondent filed his counter stating that the junction connecting West Kalmandapam Road and Suryanarayana Chetty Street is a busy area, the fourth respondent is taking all steps to control the traffic in that particular area. Apart from that the Corporation of Chennai is also monitoring the illegal erection of banners and hoardings. In fact, on receipt of representation of the petitioner dated 25.02.2016, the fourth respondent inspected the spot and there is no such banner and hoardings found in front of the petitioner's building. The allegation made by the petitioner is false and imaginary.

6.In view of the specific statement made in the counter affidavit, I am of opinion, there is no need to pass any order to remove the banner and hoardings erected in front of the petitioner's property.

7.Recording the statement so made by the respondents and the statement made in the counter affidavit, this writ petition is closed. No costs.

Sd/-
Assistant Registrar(CS II)

//True Copy//

Sub Assistant Registrar

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To

- 1.The Collector
Chennai District,
Rajaji Salai, Chennai-1.
- 2.The Commissioner,
Corporation of Chennai,
Rippon Buildings, Chennai-3.
- 3.The Commissioner of Police
Chennai City,
Vepery, Chennai-7.
- 4.The Inspector of Police (Law and Order)
N1, Royapuram Police Station,
Chennai.

+1cc to Mr.P.V.Selvakumar, Advocate, S.R.No.18152
+1cc to Mr.S.Ashok Kumar, Advocate, S.R.No.18250
+1cc to the Government Pleader, S.R.No.18340

W.P.No.9320 of 2016

NM(CO)
CA(13/04/2016)