

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 30.10.2018

CORAM :

THE HONOURABLE Mr.JUSTICE S.M.SUBRAMANIAM

W.P.No.14560 of 2013

and

M.P.No.1 of 2013

M/s.Thansun Arts and Designs,
Rep. By its Proprietor,
14/98, Indian Bank Colony,
Ramachettipalayam,
Coimbatore-10.

.... Petitioner

Vs

1. The Senior Divisional Commercial Manager,
Southern Railway,
Divisional Commercial Manager's Office,
Commercial Branch, Palakkad - 2.
2. The Railway Divisional Manager,
Palakkad.
3. The Executive Officer,
Madukkarai Special Grade
Town Panchayat,
Madukkarai,
Coimbatore District.
4. The District Collector,
O/o District Collector,
Coimbatore.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus forbearing respondents from in any manner removing the petitioner's two single sided hoardings facing the road at Marappalam RUB near Madukkarai Railway Station (towards Coimbatore direction).

For Petitioner : M/s. Rajendra Kumar
for M/s.Norton and Grant

For Respondents : Mr.P.T.Ramkumar
R1 & R2 Standing Counsel for Railways
R3 : Mr.P.Chinnadurai
R4 : Mr.R.S.Selvam
Government Advocate.

O R D E R

The relief sought for in the present writ petition is to forbear the respondents from removing the petitioner's two single sided hoardings facing the road at Marappalam RUB near Madukkarai Railway Station (towards Coimbatore direction).

2. The grievances of the writ petitioner is that he is running the trade of advertisement for many years. The respondent granted license on 01.08.2012 to erect hoardings and permitted the writ petitioner to display two single sided hoardings facing the road at Marappalam RUB near Madukkarai Railway Station (towards Coimbatore direction) on the payment of the required charges.

3. The writ petitioner states that the respondents are now taking steps to remove the hoardings which were permitted by the respondents in favour of the writ petitioner. The writ petition was filed in the year 2013. The license granted in favour of the writ petitioner became lapsed. If at all, any renewal is granted as per the procedures contemplated under law, the writ petitioner can continue to maintain hoardings and if there is no license or permission is granted, then the writ petitioner is bound to remove the same without any lapse of time.

4. Thus, the respondents are directed to verify the case of the writ petitioner in respect of existence of license or permission and take steps to remove hoardings maintained by the writ petitioner without any lapse of time. The learned counsel for the respondent states that the hoardings were already removed, thus no further orders are required. Accordingly the writ petition stands dismissed. However, there shall be no order as to costs. Consequently connected miscellaneous petition is dismissed.

Sd/-
सत्यमेव जयते

Assistant Registrar (CS-V)

//True copy//

Sub Assistant Registrar

pkn
To

1. The Senior Divisional Commercial Manager,
Southern Railway,
Divisional Commercial Manager's Office,
Commercial Branch, Palakkad - 2.

2. The Railway Divisional Manger, Palakkad.

3. The Executive Officer,
Madukkarai Special Grade
Town Panchayat,
Madukkarai,
Coimbatore District.

4. The District Collector,
O/o District Collector,
Coimbatore.

+1cc to M/s.P.T.Ramkumar, Advocate SR.No.74948

+1cc to Ms.Norton and Grant, Advocate SR.No.74829

+1cc to M/s.P.Chinnadurai, Advocate SR.No.74618

+1cc to Government Pleader SR.No.74887

W.P.No.14560 of 2013

PPA (CO)

GMV (27/11/2018)



WEB COPY