

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 15.02.2019

CORAM

THE HONOURABLE MR.JUSTICE T.RAJA

W.P.No.4423 of 2019

Skyrams Outdoor Advertisings

India Pvt. Limited

Rep by its Authorised Signatory

Old No.67A, New No.59, Bharathi Colony

Peelamedu, Coimbatore 641 004

...Petitioner

-vs-

1. Tamil Nadu Generation and
Distribution Corporation Limited

Rep by its Executive Engineer

Coimbatore Electricity Distribution

Circle/K.Vadumadurai

Coimbatore 641 012

2. The Assistant Electrical Engineer/TANGEDCO

Coimbatore Electricity Distribution Circle/City

Saravanampatti

Coimbatore 641 035

3. Coimbatore Smart City Limited

Rep by its Managing Director

Big Bazaar Street

Coimbatore 641 001

4. Coimbatore City Municipal Corporation

Rep by its Commissioner

Coimbatore 641 001

5. The District Collector

Coimbatore 641 018

...Respondents

Petition under Article 226 of the Constitution of India,
praying for the issue of a Writ of Certiorarified Mandamus,
calling for the records of the second respondent relating to his
Letter No.AEE/D/Saravanampatti/F.Doc.479/18-19 dated 31.1.2019
and quash the same and direct them to continue to ensure
uninterrupted power supply to S.C.No.120-001-2610 on collection
of consumption charges from the petitioner.

For Petitioner :: Mr.Kandhan Duraisami

For Respondents:: Mr.S.K.Rameshuwar
Standing Counsel for R1 & 2

Mr.K.Ravikumar
Additional Government Pleader
for R5

ORDER

With the consent of the learned counsel for the parties, as the issue is covered by the earlier order, the writ petition is taken up for final disposal.

2. Skyrams Outdoor Advertisings India Private Limited represented by its Authorised Signatory, Coimbatore has come to this Court challenging the order passed by the Assistant Electrical Engineer/TANGEDCO, Coimbatore Electricity Distribution Circle/City, Saravanampatti, Coimbatore, the second respondent herein, to quash the same with a consequential direction to the respondents to continue to ensure uninterrupted power supply to S.C.No.120-001-2610 on collection of consumption charges from the petitioner.

3. Learned counsel for the petitioner submitted that the petitioner is an advertising agency carrying on the business after obtaining valid licence etc., from the authorities concerned. While so, the Coimbatore Smart City Limited, the third respondent herein, having been established to translate into action the Smart City Mission initiated by the Government of India in the city of Coimbatore, both the Coimbatore Smart City Limited and the Coimbatore City Municipal Corporation, the respondents 3 & 4 intended to install the electronic display boards to disseminate climate conditions of the city with pollution level, humidity, noise level etc., therefore, installation of the digital information boards has been decided to be set up as per the Smart City Project. When the electronic display boards have been installed to disseminate climate conditions of the city with pollution level, humidity, noise level etc., to help only the public by providing public service message and information, the second respondent, failing to note that the petitioner has commissioned the digital information boards after being declared as the highest bidder, has directed the petitioner to obtain 'No Objection Certificate' from the District Collector, Coimbatore, the fifth respondent herein. When the digital information boards have been installed by the petitioner only in the specified places indicated by the third

and fourth respondents to help the people, there is no need for obtaining NOC from the District Collector, for the reason that the Smart City Mission itself is going to be implemented only by the District Collector, as planned by the Government of India.

4. Heard the learned standing counsel for the respondents 1 & 2 and the learned Additional Government Pleader for the respondent No.5.

5. This Court has already considered a similar issue in W.P.No.3511 of 2019 filed by the very same petitioner and by order dated 8.2.2019 directed the respondents not to insist upon the No Objection Certificate from the District Collector. In view thereof, the respondents are directed not to disturb the petitioner in the guise of demanding NOC from the District Collector, Coimbatore, the fifth respondent herein and shall continue to ensure uninterrupted power supply to S.C.No.120-001-2610 on collection of consumption charges from the petitioner. With this direction, the writ petition stands disposed of. Consequently, W.M.P.Nos.4982 & 4983 of 2019 are closed. No costs.

ss

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

To

1. The Executive Engineer
Tamil Nadu Generation and
Distribution Corporation Limited
Coimbatore Electricity Distribution
Circle/K.Vadumadurai
Coimbatore 641 012
2. The Assistant Electrical Engineer/TANGEDCO
Coimbatore Electricity Distribution Circle/City
Saravanampatti
Coimbatore 641 035
3. The Managing Director
Coimbatore Smart City Limited
Big Bazaar Street
Coimbatore 641 001

4. The Commissioner
Coimbatore City Municipal Corporation
Coimbatore 641 001

5. The District Collector
Coimbatore 641 018

+1cc to M/s.Muthumani Doraisami, Advocate, S.R.No.14055

+1cc to Mr.S.K.Raameshuwar, Advocate, S.R.No.14722

+1cc to the Government Pleader, S.R.No.15101

W.P.No.4423 of 2019

Kak(19/03/2019)



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