

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 04.04.2019

Coram

The Honourable Mr.Justice D.KRISHNAKUMAR

W.P.No.10176 of 2019
and
W.M.P.No.10737 of 2019

M/s.TRAID,
Rep. by Managing Partner Mr.T.K.Mani,
S/o.T.S.Kumara Thathachari,
35/3, B.R.Complex, C.P.Ramasamy Raod,
Alwarpet, Chennai - 600 018.

...Petitioner

Versus

- 1.The Commissioner,
Corporation of Chennai,
Rippon Building, Chennai.
- 2.The Revenue Officer,
Corporation of Chennai,
Rippon Building, Chennai.

...Respondents

Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus directing the first respondent to renew the license No.1 to 21 of 2017, dated 31.05.2017 in Ref.No.G4/R-4 to R-24/2016 to the petitioner for erection of eight hoardings of size 24'x12' and thirteen hoardings of size 15'x 10' at various places of Greater Chennai on the land belonging to Hindustan Petroleum Ltd., for the fourth year i.e., upto 31.03.2020.

For Petitioner : Mr.J.R.K.Bhavanantham

For Respondents: Mrs.Karthikaa Ashok

O R D E R

With consent, this Writ Petition is taken up for final disposal.

2. This Writ Petition has been filed seeking for a Writ of Mandamus to direct the first respondent to renew the license No.1 to 21 of 2017, dated 31.05.2017 in Ref.No.G4/R-4 to R-24/2016 to the petitioner for erection of eight hoardings of size 24'x12' and thirteen hoardings of size 15'x 10' at various places of Greater Chennai on the land belonging to Hindustan Petroleum Ltd., for the fourth year i.e., upto 31.03.2020.

3.1. The learned counsel appearing for petitioner submitted that the petitioner is a registered partnership firm which is in business of outdoor Advertisement under the name and style of M/s.TRAID at 35/3, B.R.Complex, C.P.Ramasamy Road, Alwarpet, Chennai - 600 018 for erection of Hoardings. The petitioner firm obtained license from the first respondent for installation of hoarding 1 to 24 of 2014 dated 06.06.2014 in Ref.No.A7/20918/2013 under Rule 3(2) in prescribed Form (II) for erection of 9 number of Hoardings of a size 24'x12' and 15 number of Hoardings of size 15'x10' totalling 24 locations in Chennai District mentioned in annexure within the premises of Hindustan Petroleum Corporation Ltd., Retail outlets which is a Government of India Public Undertaking. Subsequently, the petitioner obtained renewal for 21 hoardings in license No.1 to 21 of 2017 dated 31.05.2017. The size and location are in conformity with license issued by the Competent authority and paying the hoarding tax. The structures are certified as stable by the Govt. Approved Engineer.

3.2. The learned counsel for petitioner further submitted that the aforesaid 21 locations has expired on 31.03.2019. The petitioner is entitled to renewal licence in the name of TRAIID in aforementioned 21 locations. Therefore, the petitioner has made a representation dated 31.01.2019 before the first respondent for renewal of the license for the period 2019-2020 on the 21 different locations within the campus of Hindustan Petroleum Ltd., outlet. Therefore, left with no alternative, the petitioner has filed the present Writ Petition for the relief stated supra.

4. The learned counsel appearing for respondent submitted that the petitioner's Representation dated 31.01.2019 has to be considered by the respondent Corporation on merits and in accordance with law.

5. Heard Mr.J.R.K.Bhavanantham, learned counsel for petitioner and Mrs.Karthikaa Ashok, learned counsel for respondents.

6. In view of the submissions made by the counsels on both sides, this Court directs the second respondent to consider the petitioner's representation dated 31.01.2019 and pass

appropriate orders on merits and in accordance with law, as expeditiously as possible, preferably within a period of two weeks from today(04.04.2019). The learned counsel for petitioner undertakes before this Court that till such time, the petitioner/firm will be using hoardings only for advertising the Nationalized Banks and not for any political advertisements and if there is any violation of the above undertaking, the respondent corporation shall take action against the petitioner in accordance with law.

7. This Writ Petition is disposed of with the above direction. However, there shall be no order as to costs. Consequently, connected Miscellaneous Petition is closed.

Sd/-
Assistant Registrar(CS-VIII)

//True copy//

Sub Assistant Registrar

mrr

To

- 1.The Commissioner,
Corporation of Chennai,
Rippon Building, Chennai.
- 2.The Revenue Officer,
Corporation of Chennai,
Rippon Building, Chennai.

+1cc to Mr.JRK.Bhavanatham, Advocate SR.No.32628

+1cc to Mr.Karthikaa Ashok, Advocate SR.No.32537

W.P.No.10176 of 2019

VD(CO)
GMY(08/04/2019)

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