

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.11.2019

CORAM:

THE HON'BLE MR. JUSTICE M.M.SUNDRESH

and

THE HON'BLE MR. JUSTICE RMT. TEEKAA RAMAN

W.P.No.21149 of 2019

KSN Advertising,
rep. by its Proprietor,
K.Lavanya,
Having Office at
No.137/148, Nelson Manickam Road,
Metha Nagar,
Chennai 600 029.

... Petitioner

vs.

1. The State of Tamil Nadu,
rep. by its Secretary,
Municipal Administration & Water Supply Department,
Fort St. George, Chennai - 600 009.
2. The Commissioner,
Corporation of Chennai,
Ripon Building,
Chennai 600 003.
3. The Executive Engineer,
Corporation of Chennai,
Zone - VIII,
Chennai 600 030.
4. The Assistant Engineer,
Corporation of Chennai,
Zone - VIII,
Chennai 600 030.
5. The Zonal Officer,
Corporation of Chennai,
Zone VIII,
Chennai 600 030.

... Respondents

Writ Petition filed under Article 226 of the Constitution of India seeking to issue a writ of Mandamus, directing the Respondents not to interfere with the Hoarding business of the

Petitioner, which is proposed to be erected, two numbers of hoarding, having size of 15' x 10', which are proposed to be erected in the business premises situated at No.148, Nelson Manickam Road, Metha Nagar, Chennai 600 029, based upon the order of this Court dated 12.03.2019 in W.P.Nos.6913 and 6918 of 2019.

For Petitioner : Mr.A.Manojkumar
For 1st Respondent : Mr.E.Manoharan,
Addl. Government Pleader

For Respondents 2 to 5 : Mr.K.Soundarrajan

O R D E R

(Order of the Court made by M.M.SUNDRESH,J.)

This Writ Petition has been filed seeking a writ of mandamus directing the Respondents not to interfere with the hoarding business of the Petitioner.

2. Admittedly, the enactment viz. Amending Act 40 of 2018 has come into effect vide G.O.Ms.No.16/2019, dated 31.01.2019. Therefore, the prayer sought in the above Writ Petition cannot be maintained.

3. Law is well settled that a relief cannot be granted contrary to law. Accordingly, the above Writ Petition is closed. No costs. Consequently, connected W.M.P.No.20351 of 2019 is closed.

4. We make it clear that insofar as the vires of the Act is concerned, we do not express anything and therefore, all the issues are left open.

Sd/-
Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

(aeb)

To:

1. The Secretary, State of Tamil Nadu,
Municipal Administration & Water Supply Department,
Fort St. George, Chennai - 600 009.

2. The Commissioner,
Corporation of Chennai, Ripon Building, Chennai 600 003.
3. The Executive Engineer,
Corporation of Chennai, Zone - VIII, Chennai 600 030.
4. The Assistant Engineer,
Corporation of Chennai, Zone - VIII, Chennai 600 030.
5. The Zonal Officer,
Corporation of Chennai, Zone VIII, Chennai 600 030.

+1cc to Mr.K.Soundarrajan , Advocate SR.No. 91479

+1 cc to Government Pleader Sr.No. 92503

W.P.No.21149 of 2019

A.SK(05/12/2019)