

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 02.07.2020

CORAM

THE HONOURABLE Mr.JUSTICE R.SUBBIAH
AND
THE HONOURABLE Mr.JUSTICE KRISHNAN RAMASAMY

W.P.No.8632 of 2020

Karthikeyan

.. Petitioner

Versus

1. Union of India
Rep. By the Secretary
Ministry of Road Transport & Highways
Parivahan Bhavan
New Delhi.
2. The Administrtor
Raj Nivas
Government of Puducherry
Puducherry
3. The Union of India
Rep. By its Chief Secretary cum Home Secretary
Government of Puducherry
Puducherry
4. The Secretary
Local Administration Department
Puducherry
5. The Director
Local Administration Department
Puducherry
6. The Director General of Police
Police Department
Puducherry
- 7.The Inspector General of Police
Police Department
Puducherry

8. The Senior Superintendent of Police-Traffic
Police Department
Puducherry

9. The Superintendent of Police-Traffic Engineering & Road Safety
Police Department
Puducherry.

.. Respondents

Prayer :- Writ petition has been filed under Article 226 of the Constitution of India praying for the issuance of Writ of Mandamus forbearing the respondents 2 to 9 from renewing or issuing any fresh licenses to the advertising agencies any more in so far it relates to erection of Advertisement Boards, Hoardings on the Traffic Signals/National Highways/State Highways by allowing the advertising agencies to maintain traffic signals at their own cost by violating the guidelines formulated by the Indian Road Congress issued through the first respondent vide Circular No.RW/NH-33044/35/2001/S&R(R) dated 16.05.2002 and the order passed by this court in W.P.No.41289 of 206 dated 30.10.2017.

For Petitioner :Mr.R.Sreedhar

For Respondents:Mr.Venkatasamy Banu for R1

Ms.N.Mala, Government Pleader (Puducherry)
for R2 to R9

O R D E R

[The Order of the Court was made by R.Subbiah, J.]

The present writ petition has been filed for mandamus forbearing the respondents 2 to 9 from renewing or issuing any fresh licenses to the advertising agencies any more insofar it relates to erection of Advertisement Boards, Hoardings on the Traffic Signals/National Highways/ State Highways by allowing the advertising agencies to maintain traffic signals at their own cost by violating the guidelines formulated by the Indian Road Congress issued through the first respondent vide Circular No.RW/N/H-33044/35/2001/S&R (R) dated 16.05.2002 and the order passed by this court in W.P.No.41289 of 2016 dated 30.10.2017.

2. It is stated by the petitioner that it is very common in the regions of Puducherry, fixing Hoardings and Advertisements in the middle of the National and State Highways and around signals wherein the Police Department is granting License to the Advertising Agencies for maintenance of Traffic Signals and Advertising and also Civic Authorities such as Municipalities and Commune Panchayat's for Hoardings, whereby they keep their Client's Hoardings and Advertising through Public Address System

in Traffic Signals or otherwise to publicise and advertise their clients in the State Highways, National Highways and Traffic Signals.

3. Though very many contentions have been raised by the petitioner in this writ petition, at the time of hearing of the writ petition, learned Government Advocate submitted that the petitioner has already given representation dated 10.05.2020 on the same lines to the Honourable Lieutenant Governor, Puducherry and therefore, it would be suffice to direct the 8th respondent to consider the said representation, and pass necessary orders.

4. According to the petitioner, he has given representation dated 10.05.2020 to the Lieutenant Governor, Puducherry, stating the greivance as narrated in this writ petiton and therefore, the same may be directed to be considered within a time frame stipulated by this court.

5. Taking into consideration the submissions made through Video Conference, this court, without going into the merits of the matter, directs the petitioner to send a copy of the representation dated 10.05.2020 to the 8th respondent, who is the concerned authority to take a decision in this regard, within a period two weeks from the date of receipt of a copy of this order. On receipt of such representation, 8th respondent is directed to consider the said representation of the petitioner and pass appropriate orders in accordance with law and in the light of order passed in W.P.No.41289 of 2016 dated 30.10.2017, within a period of four weeks thereafter. The Writ Petition is disposed of accordingly. No costs.

s/d-
Assistant Registrar

True Copy

Sub-Assistant Registrar

To

1.The Secretary
Union of India
Ministry of Road Transport & Highways
Parivahan Bhavan
New Delhi.

2. The Administrtor
Raj Nivas
Government of Puducherry
Puducherry

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Police Department
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9. The Superintendent of Police-Traffic Engineering & Road Safety
Police Department
Puducherry.

Writ Petition No.8632 of 2020

RJI (CO)
SP(01/10/2020)

सत्यमेव जयते

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