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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.12.2021

CORAM :

THE HONOURABLE MR. JUSTICE S.M.SUBRAMANIAM

W.P.No.38780 of 2015

Mrs.R.Fathima

Vs.

... Petitioner

State Represented By

- 1.The Chief Secretary,
Government of Tamil Nadu,
Fort St.George, Chennai-600 009.
- 2.The Secretary,
Municipal Administration, &
Water Supply Department, Tamil Nadu,
Secretariat, Chennai-600 009.
- 3.The Home Secretary,
Government of Tamilnadu,
Fort St. George, Chennai-600 009.
- 4.The Commissioner,
Corporation of Chennai,
Ripbon Buildings, Chennai-600 003.
- 5.The Collector,
Chennai District,
Rajaji Salai, Chennai-600 001.
- 6.The Commissioner of Police,
Greater Chennai City,
Egmore, Vepery, Chennai-600 007.
- 7.The Inspector of Police,
E,2,Rotapettah Police Station,
Chennai-500 014.
- 8.The Inspector of Police,
D.5, Marina Police Station,
Chennai-600 004.
- 9.The Inspector of Police
D.6, Anna Square, Police Station,
Chennai-600 005.

...Respondents



Prayer : Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the respondents 1 to 3 to consider the representation sent on 30.11.2015 through e.mail and ordinary post to take action against Respondents 4 to 9 as per sections mentioned in the representation to the letter and spirit.

For Petitioner : No Appearance

For R1 to R3, : Mrs.N.Senthil Selvi
R5 to R9 Government Advocate

For R4 : No Appearance

O R D E R

The relief sought for in the present writ petition is to direct the respondents 1 to 3 to consider the representation sent on 30.11.2015, to take action against Respondents 4 to 9.

2. The representation sent by the writ petitioner reveals that large number of Digital Banners and Placards were commissioned on 30.11.2015 in the Beach Road, more specifically, nearby Secretariat. This caused hindrance to free flow of traffic and created unsafe atmosphere for the road users. Thus, the petitioner has submitted a complaint for initiation of appropriate action.

3. This Court is of the considered opinion that the representation was sent on 30.11.2015 and the learned Government Advocate is unable to establish whether any case was registered during the relevant period or not. However, it is brought to the notice of this Court that subsequently, a circular was issued by the Director General of Police to initiate criminal proceedings against the violators under the relevant provisions of the Tamil Nadu Open Places (Prevention of Disfigurement) Ac, 1959. Thus, now actions are being initiated in respect of illegal commission of Digital Banners, Placards, Disfigurement of Public Walls, etc.

4. The learned Government Advocate reiterated that based on the given order, the Director General of Police issued a circular to all the Station House Officers and therefore, now actions are being taken by registering criminal cases and initiating all further actions. This being the factum, this Court is of the opinion that no further adjudication is required in respect of the relief as such sought for in the present writ petition.



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5. Accordingly, the Writ Petition stands disposed of.
No costs.

Sd/-
Assistant Registrar(CCC)

//True copy//

Sub Assistant Registrar

Jeni/Cse
To

- 1.The Chief Secretary,
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- 2.The Secretary,
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- 9.The Inspector of Police
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+1cc to Government Pleader SR.No.69819

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KSM(CO)

GMV(10/01/2022)

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