



WEB COPY



W.P.No.2948 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 02.03.2023

CORAM:

THE HONOURABLE MS.JUSTICE V.M.VELUMANI
and
THE HONOURABLE MR.JUSTICE V.LAKSHMINARAYANAN

W.P.No.2948 of 2023
and
W.M.P.No.3054 of 2023

M/s. Asian Ads,
Rep. by its Proprietor Palanivel,
No.541/60, Ex-serviceman Colony,
Lakshmipuram,
Ganapathy,
Coimbatore – 641 006.

.. Petitioner

Vs.

- 1.The District Collector,
Office of District Collectorate,
Coimbatore.
- 2.The Commissioner,
Coimbatore Corporation
Coimbatore – 641 004.
- 3.The Commissioner of Police,
Commissioner of Police Office,
Coimbatore City,
Coimbatore – 641018.
- 4.The Superintending Engineer,
CEDC/METRO,
Coimbatore – 12.



W.P.No.2948 of 2023

5.The Executive Engineer,
Operation & Management,
TANGEDCO,
Central Division / Metro,
Coimbatore E.D.C.
Racecourse,
Coimbatore – 18.

6.The Supervising Engineer,
CEDC/METRO,
Coimbatore – 12.

7.Divisional Engineer,
Highways Department,
Construction and Maintenance,
Trichy Road,
Coimbatore – 18.

.. Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Mandamus, directing the 1st Respondent to grant license under Form-II of Tamil Nadu Urban Local Bodies Licensing of Hoardings and Levy and Collection of Advertisement Tax Rules 2003, for erection of hoarding by considering the petitioner's application and representation dated 19.09.2022.

For Petitioner : Mr.S.Senthil

For R1, R3 and R7: Mr.P.Gurunathan
Additional Government Pleader

For R2 : Mr.N.Velmurugan
Standing Counsel



W.P.No.2948 of 2023

ORDER

(Order of the Court was delivered by V.LAKSHMINARAYANAN, J.)

This writ petition is filed seeks for a direction to direct the 1st respondent to grant license under Form-II of Tamil Nadu Urban Local Bodies Licensing of Hoardings and Levy and Collection of Advertisement Tax Rules 2003 and for erection of hoarding by considering the petitioner's application and representation dated 19.09.2002.

2. It is the case of the petitioner that the petitioner is an advertisement agency based in Coimbatore. It is involved in designing and displaying advertisements for several of its customers. Since marketing is a part of the business, the petitioner has started a venture for that purpose. As per Section 410-C of the Coimbatore City Municipal Corporation Act, 1981 read with Rule 3 of Tamil Nadu Urban Local Bodies Licensing of Hoardings and Levy and Collection of Advertisement Tax Rules, 2003 prior to erection of hoardings, an application has to be made to the District Collector in the prescribed form. Accordingly, the petitioner submitted an application to the District Collector, Coimbatore on 13.06.2018 for grant of license. The District Collector, Coimbatore by



W.P.No.2948 of 2023

a letter dated 28.06.2018 requested the respondents 2, 3, 6 and 7 if they have any objection to the same. The 2nd respondent by its letter dated 31.07.2018 has given no objection for erection of hoarding at Racecourse Road at Coimbatore. Similarly, the 3rd respondent had also given its no objection on 24.08.2018. Despite the no objection certificates given, the District Collector, Coimbatore wanted the Superintending Engineer, CEDC/Metro/Coimbatore, with a few queries.

3. Thereafter, the petitioner by its letter dated 13.12.2019 had given locations in which the structures are to be situated. The 5th respondent has also granted his no objection to the application made by the petitioner. However, the same has been kept pending and hence, the present writ petition.

4. Heard the learned counsel for the petitioner and Mr.P.Gurunathan, learned Additional Government Pleader representing the respondents 1, 3 and 7 and Mr.N.Velmurugan, learned Standing Counsel representing the 2nd respondent.

5. A perusal of the files reveal that the District Collector, Coimbatore has kept the papers pending without passing orders on the



W.P.No.2948 of 2023

same. We direct the District Collector, Coimbatore to pass orders on the representation of the petitioner dated 19.09.2022 taking into consideration all the certificates of no objection furnished by the several respondents. The said exercise shall be completed within a period of eight weeks from the date of receipt of a copy of this order.

6. The Writ Petition is disposed of in the above terms. No costs. Consequently, the connected miscellaneous petition is closed.

(V.M.V., J) (V.L.N., J)
02.03.2023

Index : Yes / No
Neutral Citation : Yes / No
dm



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V.M.VELUMANI, J.

and

V.LAKSHMINARAYANAN, J.

dm

To

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