



WEB COPY



W.P.No.22188 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.07.2023

CORAM

**THE HONOURABLE MRS. JUSTICE J.NISHA BANU
AND
THE HONOURABLE MRS. JUSTICE N.MALA**

W.P.No.22188 of 2023

M/s. Sivalaya Advertising
represented by its Proprietor,
Mr.B.Elangovan, having office at
55/40, Bangalore Road,
Vellore - 632 004, Vellore District.

..Petitioner

Vs.

- 1.The District Collector,
Vellore, Vellore District.
2. The commissioner,
Vellore Municipal Corporation,
Vellore.

... Respondents

Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus to direct the respondent to take appropriate action on petitioner's representation dated 24.03.2019 with regard to erection of hoarding at the site opposite to the New Bus Stand and the entrance of the Anna Flyover and grant permission to erect hoardings in the said site within a time limit to be stipulated by this Court.

For Petitioner : Mr.R.Vijayakumar



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For Respondents : Mr.E.Vijayanand,
Additional Government Pleader for R1
Mr.P.S.Prabu,
Standing Counsel for R2

ORDER

This Writ Petition has been filed seeking for a Mandamus to direct the respondents to take appropriate action on petitioner's representation dated 24.03.2019 with regard to erection of hoarding at the site opposite to the New Bus Stand and the entrance of the Anna Flyover and grant permission to erect hoardings in the said site within a time limit to be stipulated by this Court.

2. Heard the learned counsel for the petitioner, the learned Additional Government Pleader appearing for the 1st respondent and the learned Standing Counsel appearing for the 2nd respondent Corporation.

3. According to the petitioner, the petitioner is the Proprietor of M/s. Sivalaya Advertising, a firm registered with the Registrar of Firms, Vellore in No.425/2004. The petitioner was permitted to erect hoardings in the site opposite to the New Bus stand and the entrance of Anna Flyover on the right side in the year 2016. The petitioner applied for renewal of the said permission by way of representation dated 24.03.2019. The 1st respondent also called for the report from the 2nd respondent Corporation and the Superintendent of Police, Vellore. The Commissioner vide proceedings dated 30.03.2022



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intimated no objection subject to the conditions stipulated therein. The Inspector of Police vide proceedings dated 30.03.2022 has also submitted no objection.

Since the site was in Palar River Bed, the respondent sought for report from the Executive Engineer, Water Resources Organization, Vellore and the said authority has also recommended for grant of permit vide Letter dated 22.12.2021. However, for the more than 4 years, the permit has not been renewed. Hence, the petitioner has filed the present writ petition.

4. Learned Additional Government Pleader appearing for the 1st respondent would state that there is payments due from the petitioner and the respondents will consider the application for renewal filed by the petitioner only on payment of dues from the petitioner.

5. In view of the above submission, a direction is issued to the 1st respondent to consider the representation of the petitioner dated 24.03.2019, on payment of dues from the petitioner, and pass appropriate orders on merits and in accordance with law, as expeditiously as possible. Accordingly, the Writ Petition is disposed of. No costs.

(J.N.B,J.) (N.M., J.)
28.07.2023

Index : Yes / No
Internet : Yes
vsi



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J. NISHA BANU, J.
and
N.MALA,J.

vsi

To

- 1.The District Collector,
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2. The commissioner,
Vellore Municipal Corporation,
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