



WEB COPY



WP.No.19696 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 15.07.2024

CORAM:

THE HONOURABLE MR.JUSTICE S.S.SUNDAR

AND

THE HONOURABLE MR.JUSTICE N.SENTHILKUMAR

WP.No.19696 of 2024  
WMP.No.21564 of 2024

N.Srinivasan  
Proprietor of Gokul Adds, Erode 638001

Petitioner

Vs

1. The District Collector, Erode

2. The Commissioner, Erode Corporation

Respondents

Prayer:- This Writ Petition has been filed, under Article 226 of the Constitution of India, to issue a Writ of Mandamus to direct the Respondents to consider the reply of the Petitioner dated 01.06.2024 within a time frame relating to the notice dated 24.05.2024 in Na.Ka.No.8/E1/01165/2024 issued by the 2nd Respondent.

For Petitioner : Mr.K.Muthuganesapandian

For Respondents : Mr.R.Vigneswaran-GA-R1  
Mr.M.Rajamathivanan, Standing Counsel-R2

ORDER

(Order of the Court was made by S.S.SUNDAR, J.)

1. This Writ Petition has been filed for issuance of Writ of Mandamus, directing the Respondents to consider the reply of the Petitioner, dated 01.06.2024 within a time frame, relating to the notice, dated 24.05.2024 in



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Na.Ka.No.8/E1/01165/2024 issued by the 2<sup>nd</sup> Respondent.

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2. This Court heard the learned counsel on either side, considered their submissions and also perused the materials placed on record.
3. Admittedly, the Petitioner has installed hoardings and continued to exhibit their hoardings, despite the fact that the licence granted to him was expired in the year 2019. It is unfortunate to notice that the Petitioner has obtained orders from this Court to permit his hoardings in spite of the fact that no permission was in existence. The Petitioner, in response to the communication issued in May 2024 to remove the hoardings, has submitted a reply, stating that his applications to get licence/ permission for installation of hoardings under the new Rules are pending. It is now reported before this Court that the unauthorised hoardings have been removed. Therefore, nothing survives in this Writ Petition.
4. However, the learned counsel for the Petitioner states that his representations or applications under the new set of Rules should be considered by the Respondents. To this limited extent, this Court, without expressing any opinion on the merits of the Petitioner's contentions, directs the Respondents to consider the application of the Petitioner stated to have been filed and dispose of the same, on merits and in accordance with law. If the Petitioner is in arrears of any fee payable to the Respondents, consideration of his application stated to have been filed by the Petitioner will be subject to the payment of entire arrears as on date not only in respect of a particular hoarding, but also in respect of all other hoardings, which had been



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unauthorisedly erected by the Petitioner earlier.

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5. The submission of the learned counsel for the Respondents that the Petitioner has not submitted any application to the 2nd Respondent, who is the Competent Authority to consider the same, is also recorded. Since the Petitioner has admitted that he has enjoyed the benefit of installation of their hoardings without any payment of licence fee, this Court is not inclined to specify any time limit for consideration of his application, stated to have been filed.

6. With the above observations, this Writ Petition is dismissed. No costs. Consequently, the connected MP is closed.

(S.S.S.R.J.) & (N.S.J.)  
15.07.2024

Index:Yes/No  
Web:Yes/No  
Speaking/Non Speaking  
Neutral Citation: Yes/No  
Srcm

To

1. The District Collector, Erode
2. The Commissioner, Erode Corporation



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S.S.SUNDAR, J.  
and  
N.SENTHILKUMAR, J.

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