IN THE HIGH COURT OF ANDHRA PRADESH
AT AMARAVATI

Bench Sr.No:-40
[3584]

APHC010403672025

WRIT APPEAL NOs: 876 and 877of 2025,
WRIT PETITION (PIL) NO.385 of 2018
&
WRIT PETITION Nos:4589 of 2019 and 17084 of 2020

WRIT APPEAL NOs: 876 and 877of 2025 and
WRIT PETITION Nos:4589 of 2019 and 17084 of 2020

M/s Ad Space Advertising Pvt. Ltd., ...Appellant// Petitioner

Vs.

The State of Andhra Pradesh and Others ...Respondent(s)

WRIT PETITION (PIL) NO.385 of 2018

Dr. Agarala Eswar Reddy ...Petitioner

Vs.

The State Of Andhra Pradesh and Others ...Respondent(s)

****

CORAM : THE CHIEF JUSTICE LISA GILL
SRI JUSTICE CHALLA GUNARANJAN

DATE : 29th October 2026

Present:

Advocate for Appellant: Mr.A CHANDRAIH NAIDU

Advocate(s) for Respondent(s): Mr.POTHAM VENGALA REDDY SC For M.Corporation in Rayalaseema region,
GP FOR HOME,
GP FOR MUNCIPAL ADMN URBAN DEV

COMMON JUDGMENT: (per Hon'ble Sri Justice Challa Gunaranjan)

Issues raised in all these cases, since are interconnected and relate to erection of advertisement boards/hoardings including

traffic umbrellas within the limits of Tirupati Municipal Corporation, with the consent of learned counsels appearing for the respective parties, the same are taken up for consideration and disposed by common order.

2. Writ Appeal Nos.876 and 877 of 2025 are directed against common order dated 09.07.2025 in W.P. Nos.2015 and 2329 of 2024, whereby learned Single Judge dismissed the writ petitions preferred by appellant herein.

3. Writ Petition (PIL) No.385 of 2018 filed by way of public interest, challenges inaction of respondents in removing unauthorized advertisement boards/hoardings/arches/flexes, etc., within the limits of Tirupati Municipal Corporation (hereinafter, referred to as 'Corporation'), to be in contravention to Sections 63 to 68 of the A.P. Panchayat Raj Act, 1994, and A.P. Municipalities (Advertisement Tax) Rules, 1967, besides being unconstitutional.

4. The appellant also filed W.P. Nos.4589 of 2019 and 17084 of 2020, challenging the action of respondents therein in removing advertisement boards erected by it over the space/land belonging to the Corporation, despite payment of tax and subsistence of contract, to be illegal and arbitrary.

5. (a) The appellant/writ petitioner was initially granted license for display of advertisements over traffic umbrellas at

various places and junctions in Tirupati Municipal Corporation, vide proceedings dated 01.10.2010. Appellant continued to display the advertisements subject to payment of license fee as well as advertisement tax. When advertisement tax was enhanced, appellant is stated to have challenged the same by filing various writ petitions before this Court, which are pending adjudication.

(b) Since tax demands were not paid, it is stated that the respondent-Municipal Corporation initiated steps for removing advertisement boards, which led to filing of W.P. Nos.10379 of 2016 and 37354 of 2018. Subsequently, the license granted in favour of appellant was not extended beyond 31.03.2024; rather, unofficial respondent was allotted the contract of displaying advertisements. Thus aggrieved, the appellant preferred W.P. Nos. 2015 and 2329 of 2024.

(c) Aforesaid two writ petitions were dismissed by the learned Single Judge, holding that writ petitioner since was not renewed with permission after 31.03.2024 had no right to continue beyond the said period. Further, learned Single Judge, having observed that writ petitioner lacked bona fides and its conduct was not inspiring, negated the contention that awarding of contract in favour of an unofficial respondent other than by way of auction was improper and accordingly, sustained award of contract in favour of

unofficial respondent. Aggrieved by the same, present appeals are preferred.

6. Both appeals as well as writ petitions were tagged along with W.P.(PIL) No.385 of 2018, wherein larger issue of indiscriminate display of unauthorized advertisements, hoardings, arches and flexes within the jurisdiction of Tirupati Municipal Corporation was raised. Sri Vivek Chandra Sekhar S was appointed as *Amicus Curiae* to assist this Court on the legal aspects.

7. (a) At the outset, learned Government Pleader for Municipal Administration, by referring to G.O.Ms.No.253, Municipal Administration & Urban Development (C) Department, dated 02.12.2025, by which Andhra Pradesh Regulation and Control of Display Devices (Promotion of Products and Services) in Urban Local Bodies Rules, 2025, were promulgated, submitted that comprehensive rules governing licensing, display of advertisements and regulation thereof since are now in place, the issues raised in all these cases would stand addressed.

(b) It is further submitted that in view of the rules now governing entire field and statutory framework being put in place, the respective urban local bodies would be acting in accordance with the same in case any unauthorized hoardings/advertisements/ flexes are displayed without proper permission.

(c) Learned Government Pleader also submitted that the Government is in the process of issuing circular instructions to all urban local bodies for effective implementation of the rules prescribed in G.O.Ms.No.253, dated 02.12.2025.

(d) He further submitted that all agencies involved in the business of advertising will have to obtain license at the first instance, and thereafter apply for permission for displaying devices as envisaged under Rules 6 and 7 of aforesaid rules, those who have already been exhibiting advertisements shall be allowed to continue with the contract till expiry of the period. In respect of agencies who are displaying advertisements in private properties, they are required to migrate and comply with the requirements of rules, both for the purpose of obtaining license as well as permission for displaying. Insofar as agencies using space/land of urban local bodies, they shall be permitted to complete the current license period and henceforth, subject to obtaining license, allotment of space/land belonging to ULBs shall be in accordance with Rule 20, which envisages allotment by way of auction.

8. Learned standing counsel appearing for Tirupati Municipal Corporation, on instructions, submits that traffic umbrellas which are subject matter of Writ Appeal Nos.876 and 877 of 2025, presently allotted to 6th respondent therein, shall henceforth be

allotted only after calling for bids and conducting public auction in terms of Rule 20, which exercise would be undertaken within a period of two months.

9. Learned *Amicus Curiae* submits that this Court had an occasion to deal with more or less similar issue in **Y.V.Murali Krishna v. State of Andhra Pradesh and others[1]'s case[1]**, after referring to judgment of Hon'ble Apex Court in **Novva ADS v. Secretary, Department of Municipal Administration and Water Supply[2]**, which in detail considered various aspects regulating the advertisements under Madras Municipal Corporation Act, it was held as under:

> **"32.** No doubt, the State of Andhra Pradesh issued certain guidelines considering the then prevailing circumstances in 1967. But after lapse of more than 50 years, there is a lot of change in the type of advertisements due to progress in technology. But, even after more than 50 years, the Rules framed are in tact. It is high time for the State Government to amend/review the Rules suitable to the present trend of advertisements, taking into consideration, different types of advertisements, but, advertisements having the following themes/messages shall not be allowed:
>
> 1. Nudity

[1] 2019 SCC OnLine AP 17 = (2019) 3 ALT 104
[2] (2008) 8 SCC 42 = AIR 2008 SC 2941

2. Defamatory towards any caste, colour, creed, religion, nation, community, race or institution.
3. Advertisement of drugs, alcohol, cigarette or tobacco items.
4. Advertisements propagating exploitation of women or child.
5. Advertisement depicting cruelty to animals.
6. Advertisement casting aspersion on any brand or person or trade.
7. Advertisement glorifying violence.
8. Advertisement of weapons and related items (such as firearms, firearm parts and magazines, ammunition etc.)
9. Advertisements which may be defamatory, trade libelous, unlawfully threatening or unlawfully harassing structure of an advertising device.
10. Advertisements which may be obscene or contain pornography or contain an “indecent representation of women” within the meaning of the Indecent Representation of Women (Prohibition) Act, 1986.
11. Advertisement linked directly or indirectly to or include description of items, goods or services that are prohibited under any applicable law for the time being in force.

33. If Rules are formulated taking into consideration of the above aspects by the State, it would serve better purpose to the public. At the same time, regarding safety of advertisements, the Greater Hyderabad Municipal Corporation issued certain guidelines for outdoor advertisements in the city of Hyderabad. As per new

instructions, the 40 ft × 25 ft. wall mounted and ground hoarding would be allowed for advertisements after its structural safety is assessed by an inspection of structural engineers from Jawaharlal Nehru Technological University, Hyderabad. For 30 ft. X 25 ft. hoarding on roof tops on buildings not exceeding two floors, the permission would be given only after inspection and certification from the structural engineer under intimation to JNTU-H. In case of uni-poles and hoardings beyond 30 ft. X 25 ft. on higher roof tops, design, certification and rectification should be taken before approval to display advertisements. The civic body said that agencies have to submit structural stability certificate from GHMC empanelled engineers and certification from JNTU or IIT for allowing display on uni-poles and hoarding of sizes beyond 30 ft. X 25 ft. and on higher roof tops (second floor). The GHMC stated that permission would be given tentatively to agencies to advertise, subject to an undertaking that in case of any mishap, the agency would be held responsible for consequences of civil and criminal liability in accordance with the law."

10. Learned *Amicus Curiae*, after having gone through rules issued in G.O.Ms.No.253, submits that in view of issuance of comprehensive rules governing regulation of advertisements in urban local bodies, which is in line with observations made by Coordinate Bench of this Court in **Y.V.Murali Kirshna's case**[1], the issue highlighted in the PIL also stands addressed.

11. We have gone through the rules and having considered submissions addressed by respective counsels for the parties concerned, we deem it appropriate to dispose all these matters with the following directions:

(a) In view of promulgation of Andhra Pradesh Regulation and Control of Display Devices (Promotion of Products and Services) in Urban Local Bodies Rules, 2025, we direct the State Government to issue necessary administrative instructions to all urban local bodies within the State of Andhra Pradesh for ensuring strict compliance with the norms envisaged under the aforesaid rules. Further, the State authorities as well as urban local bodies are directed to ensure that licenses granted for displaying advertisements over properties belonging to urban local bodies shall no longer be renewed any further, going forward, allotments shall be made only by way of auction as envisaged under Rule 20.

(b) We direct Municipal Corporation of Tirupati to take immediate steps to remove advertisement boards/hoardings including traffic umbrellas within its jurisdiction allotted to various agencies other than by way of auction and to take further steps for conducting auction in terms of Rule 20 for the purpose of allotting space/land belonging to the Corporation for setting up advertisement boards. The said exercise is directed to be

completed within two months from the date of receipt of copy of this order.

12. With the above observations, all these matters stand disposed of. No costs.

As a sequel, miscellaneous petitions pending consideration, if any, in this case shall stand closed.

LISA GILL, CJ **CHALLA GUNARANJAN, J**

SS