

CONT P No.671 of 2014

WP No.7304 of 2006

The Hon'ble The CHIEF JUSTICE
and
The Hon'ble Mr Justice M.M.SUNDRESH

K.R.RAMASWAMY @
TRAFFIC RAMASWAMY, SOCIAL ACTIVIST AND
SENIOR CITIZEN, S/O.RANGASWAMY, NO.
152/35, THAMBU ST, 4TH FLOOR, ROAD,
CHENNAI 1
Vs
SUNDARAVALLI IAS
COLLECTOR, CHENNAI DIST RAJAJI SALAI
CHENNAI and 4 others.

Learned Additional Advocate General has placed before us G.O. (Ms.) No.46, Municipal Administration & Water Supply (M.C.I) Department, dated 26.02.2016, constituting a Committee of five members headed by the Principal Secretary, Home, Prohibition and Excise Department, for monitoring the progress of removal of defacement of open places and for implementation of orders of this Court.

2.We may note that the menace of defacement, hoardings, etc., has permeated in the State for quite some time. The very fact of pendency of this petition for ten years is a reflection of this position. There is an aspect of both defacement of natural resources and defacement of Government walls, bridges and buildings. The political parties are also to blame as per what has been set out in the petition. The earlier orders show that what was contemplated was a Committee presided over by a retired Judge of this Court, but the Government, in its wisdom, has considered it appropriate to appoint a Committee of Secretaries and other officers. We leave this issue to the wisdom of the Government, but would like to see the performance of the Committee, at the ground level.

3.At various times, directions have been issued by this Court seeking to control the installation of hoardings and banners, not very successfully. This has given rise to number of contempt proceedings from time to time. We feel this is the appropriate time to properly regulate this issue and the Courts are

facilitated by the fact that in view of impending elections, in pursuance to the directions of Election Commission, all such hoardings have been removed. We would like this position to continue even beyond the elections till we determine how the Government proposes to regulate this area of concern.

4. We, thus, direct that the hoardings and banners and all such materials will not be displayed for the time being till we consider this aspect in greater depth and the position prevalent in view of the impending elections should continue till our decision on this issue. The head of the concerned departments to be personally responsible for such enforcement.

5. Learned Additional Advocate General to prepare a note as to how to control this aspect so that the public is not inconvenienced. In this context, we may note that it is almost a daily spectacle of large hoardings being displayed on pavements, since on the median they have been prohibited and this causes inconvenience to the pedestrians and even loss of life. When roads are made, pathways are provided for the pedestrians and there must be concerns for people who are not riding vehicles. The pavements must be left free of encroachments including of large hoardings with metal rods intruding on to the pedestrian area.

6. Learned Additional Solicitor General, who is also assisting in this matter, to also come up with some practical solutions to this problem.

7. The Committee will ensure that there is no defacement of natural resources, Government walls, etc. and the respondent political parties are equally restrained from doing so and we are sure, they will conduct themselves appropriately even if unrepresented before us.

8. List for compliance on 13.06.2016.

[CJ] [M M S J]

16/03/2016