

IN THE COURT OF SUB DIVISIONAL MAGISTRATE (NORTH)
AT PUDUCHERRY



Present: A.VINCENT RAYAR,
SUB DIVISIONAL MAGISTRATE (NORTH)

M.C.No. 422/2011, u/s.133.Cr.P.C.

Thiru Chandru(32), S/o.Kanniappan,
No.6, Vinayagar Koil Street,
Pethuchettipettai,
Lawspet,
Puducherry - 605008

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V/S

Petitioner

1. The Commissioner,
Puducherry Municipality.
2. The Commissioner,
Oulgaret Municipality,
Puducherry.
3. The Commissioner,
Ariankuppam Commune Panchayat,
Puducherry.

.....

Counter petitioners.

WHEREAS it has been made to me from the information laid by the petitioner Thiru.Chandru S/o Kanniappan that large number of banners and cut outs have been erected in the Puducherry Municipality and Oulgaret Municipality limits which is causing huge nuisance to the movement of the general public and also diverts the attention of vehicular commuters which leads to frequent accidents and traffic congestion. Further, the petitioner also alleged that even though he had lodged complaints before the concerned Municipal authorities requesting to take immediate action for the removal of banners, no action was taken by them as per the provisions of Pondicherry Open Places (Prevention of Disfigurement) Act, 2000.

WHEREAS, in this regard, this court had issued a conditional Order u/s 133 Cr.PC in the above said M.C.No.422/2011 on 31.05.2011 requiring to take necessary action to remove the banners/cut outs erected in the respective jurisdictions of the Municipal Commissioners which are causing huge nuisance to the movement of the general public by diverting the attention of vehicular commuters thereby leading to frequent accidents and traffic congestion.

All cr's for n/a.

[Signature]
SUPERINTENDENT OF POLICE (SOUTH)
PUDUCHERRY

*Forwarded to SHO F1 & F2 PS
for N/A*

[Signature]
INSPECTOR OF POLICE
VILLIANUR CIRCLE
PUDUCHERRY

DEPARTMENT OF REVENUE AND DISASTER MANAGEMENT - OFFICE OF THE SUB COLLECTOR (REVENUE) NORTH

DEPARTMENT OF REVENUE AND DISASTER MANAGEMENT - OFFICE OF THE SUB COLLECTOR (REVENUE) NORTH***

WHEREAS, on perusing the documents along with statements of the parties and upon personal inspection and having satisfied about the existence of banners obstructing public space and movement of general public, the conditional order was made absolute u/s 138 Cr.PC. on 15/06/2011 to make necessary arrangements to remove the banners / cut outs erected in their respective jurisdictions.

WHEREAS, on the expiry of the time limit granted, Magistrate's notice and peremptory order had been issued on 03/08/2011 directing the counter petitioners to obey the above said absolute order.

WHEREAS, the Tahsildars of Puducherry and Oulgaret Taluk Offices had further reported the existence of banners / cutouts in various places at Puducherry.

WHEREAS, this court had issued directions to initiate action against the counter petitioners u/s. 188 of Indian Penal Code for disobeying the orders of the public servant on 24/08/2011.

WHEREAS in this regard, it was also directed to issue wide publication in dailies and Television media every now and then so as to educate the public that such a ban exists in the Puducherry region.

WHEREAS, it is ascertained that the Counterpetitioners are not filing the required compliance report every fortnightly as per the directions of this court.

WHEREAS, during the course of routine inspection of the undersigned recently, it is noticed that in various parts of the Puducherry and Oulgaret Municipal and Ariankuppam Commune Panchayat limits, new installation of banners/cutouts are existing.

NOW THEREFORE, it is hereby directed to remove all such banners/cutouts as and when they are erected and to initiate necessary action against the defaulters as per the provisions of law in vogue and to submit the report on actions that are taken against such defaulters. It is also hereby directed to file a compliance report in this regard regularly every fortnight as per the orders issued earlier. Failure to obey the orders on or before 29.06.2012 will lead to prosecution u/s 188 Cr.P.C. based on the complaint lodged earlier.



(Signature)
(A. VINCENT RAYAR)
SUB DIVISIONAL MAGISTRATE (NORTH)

Copy to:

1. The Senior Superintendent of Police (Law & Order),
Puducherry.
2. The Superintendent of Police (North),
Puducherry.
3. The Superintendent of Police (South),
Puducherry.
4. The Superintendent of Police (Rural),
Puducherry
5. The Tahsildar,
Taluk Office,
Puducherry.
6. The Tahsildar,
Taluk Office,
Oulgaret.

DEPARTMENT OF REVENUE AND DISASTER MANAGEMENT - OFFICE OF THE SUB COLLECTOR (REVENUE) NORTH***