

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 17TH DAY OF SEPTMEBER, 2021

PRESENT

THE HON'BLE MR.SATISH CHANDRA SHARMA
ACTING CHIEF JUSTICE

AND

THE HON'BLE MR. JUSTICE SACHIN SHANKAR MAGADUM

WRIT PETITION NO.7135 OF 2021(LB-BMP-PIL)

BETWEEN:

SRI H.M. VENKATESH
S/O LATE H K MANJUNATHAIAH
AGED ABOUT 62 YEARS
NO.2099, 2ND CROSS, 8TH MAIN
JUDICIAL LAYOUT, GKVK PCST
BENGALURU - 560065

...PETITIONER

(BY SRI CHIDANANDA P, ADVOCATE)

AND:

1. THE STATE OF KARNATAKA
REPRESENTED BY ITS CHIEF SECRETARY
VIDHANA SOUDHA,
BENGALURU - 560001

2. THE URBAN DEVELOPMENT DEPARTMENT
REPRESENTED BY ITS SECRETARY
VIKASA SOUDHA,
BENGALURU - 560001

3. THE BRUHAT BENGALURU MAHANAGARA PALIKE
REP. BY ITS COMMISSIONER
HUDSON CIRCLE,
BENGALURU - 560002

...RESPONDENTS

(BY SRI V.SREENIDHI, AGA FOR R1 & R2;
SRI H.DEVENDRAPPA, ADVOCATE FOR R3)

THIS PETITION IS FILED UNDER ARTICLES 226 & 227 OF THE CONSTITUTION OF INDIA PRAYING TO i)ISSUE A WRIT IN THE NATURE OF MANDAMUS DIRECTING THE RESPONDENTS TO CONSIDER THE REPRESENTATION DATED 01/02/2020 AND 28/1/2021 MADE BY THE PETITIONER AT ANNEXURES-C AND F FOR REMOVAL OF ADVERTISEMENTS/DISPLAYS BEARING THE NAMES AND PHOTOGRAPHS OF REPRESENTATIVES OF PEOPLE ON VARIOUS PROJECTS AND WORKS UNDERTAKEN BY THE GOVERNMENT USING PUBLIC FUNDS AND ii)ISSUE SUCH OTHER WRIT, ORDER OR DIRECTION.

THIS PETITION COMING ON FOR ORDERS THIS DAY,
ACTING CHIEF JUSTICE, MADE THE FOLLOWING:

ORDER

The petitioner before this Court has filed this present petition as a public interest litigation (PIL) for issuance of appropriate writ, order or direction directing the respondents to take action and to remove unauthorized advertisements, hoardings, display boards of political functionaries and political leaders and also to remove photographs of political persons in

respect of government projects. The petitioner has prayed for the following reliefs:

"i. Issue a writ in the nature of mandamus directing the respondents to consider the representations dated 01.02.2020 and 28.01.2021 made by the petitioner at Annexures-C and F for removal of advertisements/displays bearing the names and photographs of representatives of people on various projects and works undertaken by the Government using public funds.

ii. Issue such other writ, order or direction that this Hon'ble court deems fit in the interest of justice and equity."

2. The petitioner has placed reliance upon an order passed by the Hon'ble Supreme Court in W.P.(Civil) Nos.13/2003, 197/2004 and 302/2012 (Common Cause vs. Union of India). His contention is that in the light of the judgment delivered by the Court, the respondents are certainly under an obligation to remove all such display

boards, advertisements, hoardings, etc., in terms of the order passed by the Hon'ble Supreme Court.

3. This Court has issued notice in the matter and statement of objections has been filed by the State Government. The State Government in its statement of objections has categorically stated that they have taken various steps for complying the order passed by the Hon'ble Supreme Court as well as the order passed by this Court in this petition which was also on the same subject and a meeting was held under the Chairmanship of the Secretary to the Government of Karnataka, Urban Development Department and all statutory bodies in the State have been issued instructions including the Bruhat Bengaluru Mahanagara Palike to remove all such hoardings and to comply with the order passed by the Hon'ble Supreme Court.

4. The compliance report does reveal that appropriate action has been taken by the State Government in the matter.

Not only this, the State Government has issued a Circular dated 24.08.2021 for removing photos of people's representative and also in respect of other publicity boards directing all local bodies to adhere to strict compliance.

5. This Court on 06.08.2021, after taking into account the compliance report has directed the State Government to issue specific directions to the authorities and local bodies and the same has been done by the State Government by order dated 24.08.2021.

6. In the light of the compliance report of the State Government and the action which has already been initiated, no further orders are required to be passed in the present PIL. However, the respondent State is directed to ensure that in future also, no display boards, unauthorized advertisements, hoardings at public places as well as in respect of various Government projects are displayed in future. The Government is directed to take prompt action in the matter keeping in view

the Circular and the orders passed by the Hon'ble Supreme Court in W.P.(Civil) Nos.13/2003, 197/2004 and 302/2012 (Common Cause vs. Union of India).

7. With the aforesaid, the petition stands disposed of.

The pending interlocutory applications, if any, stand disposed of.

Sd/-
ACTING CHIEF JUSTICE

Sd/-
JUDGE

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