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WP-29484-2026

IN THE HIGH COURT OF MADHYA PRADESH
AT INDORE

BEFORE

HON'BLE SHRI JUSTICE SANDEEP N. BHATT

ON THE 27th OF JULY, 2026WRIT PETITION No. 29484 of 2026

*MS SUPERIOR SERVICES ADVERTISEMTNTS PVT. LTD. THROUGH
DIRECTOR SURESH ASAWA S/O LATE RAM KRISHNA AS AND
OTHERS*

Versus

THE STATE OF MADHYA PRADESH AND OTHERS

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Appearance:

Shri Vishal Baheti -Senior Advocate along with Shri Satyajeet Mane-
Advocate for the petitioners.

Shri Ayushman Choudhary appearing on behalf of Advocate General.

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ORDER

This petition has been filed by the petitioner under Article 226 of the
Constitution of India seeking following relief:-

*"7.1 To strictly implement the law laid down by the Division Bench of
this Hon'ble Court in the case of Outdoor Advertisers Association v/s
State of MP. (W.P. No. 27702/2021) in its true letter and spirit;*

*7.2 To implement letter dated 01.11.2019 issued by Respondent no. | in
its true letter and spirit;*

*7.3 Respondent no.1 be directed to take appropriate action against the
erring officials who fails to perform their statutory duties; and*

*7.4 Petitioner be awarded appropriate compensation for inaction of the
Respondents.*

*7.5.Any other relief in favour of the Petitioner which this Hon'ble
Court may deem fit."*

2. The grievance of the petitioner is that it is an advertising firm and
owns various hoardings across the city of Indore, however, certain
unscrupulous persons are putting their own hoarding over and above
hoardings of the petitioner to his prejudice and financial loss.



3. Counsel for the petitioner has drawn attention of this court to the circular dated 1.11.2019(Annexure P-4) in respect of the illegal hoardings, and also to the order passed by the Division Bench of this Court at Jabalpur in the case of (Outdoor Advertisers Association Vs. State of M.P. and others) passed in W.P.No.27702/2021 dated 14.6.2022 whereby in similar circumstances following observation has been made which is as under:-

"7. Since the Rules of 2017 and Act of 1956 provide not only for remedial action but also for penal provisions to deal with grievance and as well as the offender, it would be appropriate to dispose of this petition with following directions:-

(i) In case, instance of violation of any provision under Rules of 2017 or defacement of property as defined in Act of 1956, comes to the knowledge of the members of petitioner-association, in regard to spaces reserved for them, the petitioner shall be free to make a written complaint disclosing commission of cognizable offence under the Rules of 2017 r/w Act of 1956 to the concerned Police Station within which the offence is alleged to be committed.

(ii) On receipt of said complaint disclosing cognizable offence, the concerned Police Station shall register appropriate cognizable offence in terms of information received and thereafter proceed to investigate the matter and file a final report u/S.173 of CrP.C. or a closure report, as the case may be, as expeditiously as possible.

(iii) In case, information regarding commission of cognizable offence does not lead to registration of offence, then petitioner-association or its members are free to approach Superintendent of Police of the concerned district, who shall act in accordance with provisions contained in Section 154(3) of CrP.C, expeditiously, failing which petitioner shall be free to avail the remedy u/S 156(3) or 200 of Cr.P.C.

(iv) The State Government or the Prescribed Authority under the Act of 1956 or Competent Authority under the Rules of 2017 is directed to immediately remove the illegal use of advertising space leased out to the members of petitioner-association within 24 hours of receipt of complaint along with taking penal action in accordance with law against the defaulter.

(v) A monthly report of compliance of the aforesaid directions be filed by the Municipal Corporation, Jabalpur and as well as the Collector, Jabalpur, failing which, the Registry is directed to list this matter as PUD for compliance before the appropriate Bench."

4. Thus, it is submitted by counsel for the petitioner that the respondents may be directed to comply with the aforesaid order which is also applicable in the present case *mutatis mutandis*.

5. Counsel for the respondent/State has not opposed the prayer, and



it is submitted that appropriate action shall be taken to redress the grievance of the petitioner.

6. In view of the same, this Court is inclined to dispose of this petition with a direction to the respondents to comply with the aforesaid order passed by the Division Bench of this Court at Jabalpur in the case of **Outdoor Advertisers Association (supra)** in its true letter and spirit as directed therein as also the circular dated 1.11.2019 (Annexure P-4).

7. With the aforesaid direction, the petition stands disposed off.

(SANDEEP N. BHATT)
JUDGE

jjyoti