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**\*IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ W.P.(C) 9531/2017

SANJEY PURI

..... Petitioner

Through: Mr.Yash Kumar and  
Mr.C.M. Sharma, Advs.  
along with petitioner in person

versus

SOUTH DELHI MUNICIPAL CORPORATION

..... Respondent

Through: Ms. Monika Arora with Mr.Harsh Ahuja,  
Mr.Kushal Kumar and Ms. Vibha  
Tripathi, Advs. for R-1/SDMC.

**CORAM:**

**HON'BLE THE ACTING CHIEF JUSTICE**

**HON'BLE MR. JUSTICE C.HARI SHANKAR**

**ORAL JUDGMENT**

**% 19.02.2018**

**GITA MITTAL, ACTING CHIEF JUSTICE**

1. This writ petition makes a grievance that parking fees is being charged from the general public illegally by the owners of shopping malls, hospitals and other commercial establishments. The writ petitioner seeks issuance of a writ of mandamus against the officials of the SDMC directing them to take action against the violation of notifications and notices issued under the provisions of the Delhi Municipal Corporation Act, 1957 in this regard.

2. Ms. Monika Arora, learned standing counsel for SDMC has drawn our attention to the circular dated 05<sup>th</sup> February 2016 and the public notices issued on 02<sup>nd</sup> December 2015 in respect of misuse of parking areas in the commercial complexes offices/shopping malls/hospitals. These Circulars point out that parking space in the commercial complexes/Malls/Hospitals has to be utilised free of any charges and cannot be put to commercial use by levying parking fees for the same.

3. Ms. Monika Arora, submits that when the misuse by certain complexes was brought to its notice, the SDMC has issued notices to show cause to such

complexes and also effected sealing of certain malls. This has resulted in such Complexes/Malls initiating challenges to the action of the Municipal Corporation by way of writ petitions which are pending before the Single Judge.

4. In view of the above, it would appear that the Municipal Corporation is conscious of its statutory duty and appears to have taken action against the violators of the law.

5. In case, any violation is comes to the notice to the petitioner, we grant liberty to him to approach the Municipal Corporation with the same. The Corporation shall proceed to take action in accordance with.

6. In case, the petitioner files a complaint before the Municipal Corporation, the Municipal Corporation will take action and a copy of the 'Action Taken Report' action shall be communicated to the petitioner.

7. Liberty is given to the writ petitioner to take appropriate action before this Court as and when the Municipal Corporation fails to take action.

8. This writ petition is disposed of in the above terms.

9. *Dasti.*

**ACTING CHIEF JUSTICE**

**C.HARI SHANKAR, J**

**FEBRUARY 19, 2018**  
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