

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Special Original Jurisdiction)

Friday, the Thirtieth day of July Two Thousand Twenty One

PRESENT

THE HON`BLE MR JUSTICE N. KIRUBAKARAN

AND

THE HON`BLE MRS JUSTICE T.V. THAMILSELVI

WP.No.194 of 2020

and WMP.Nos.223 & 225 of 2020

MADURAI MAVATTA DEVENDRA [PETITIONER IN ALL THE PETITIONS]
KULA VELLALAR, URAVINMURAI SANGAM,
REP. BY ITS PRESIDENT K.C.SELVAKUMAR,
NORTH STREET, MANAGIRI, MADURAI-20

Vs

1 THE GOVERNMENT OF TAMIL NADU [RESPONDENTS IN ALL THE PETITIONS]
REP. BY ITS ADDITIONAL CHIEF SECRETARY,
REVENUE AND DISASTER MANAGEMENT DEPARTMENT,
FORT SAINT GEORGE, CHENNAI-9

2 THE GOVERNMENT OF TAMIL NADU
REP. BY ITS PRINCIPAL SECRETARY, HOME
DEPARTMENT, FORT SAINT GEORGE, CHENNAI-9

3 THE GOVERNMENT OF TAMIL NADU
REP. BY ITS SECRETARY, HIGHWAYS DEPARTMENT,
FORT SAINT GEORGE, CHENNAI-9

4 THE GOVERNMENT OF TAMIL NADU
REP. BY ITS SECRETARY, MUNICIPAL
ADMINISTRATION AND WATER SUPPLY DEPARTMENT,
FORT SAINT GEORGE, CHENNAI-9

5 THE GOVERNMENT OF TAMIL NADU
REP. BY ITS PRINCIPAL SECRETARY,
INFORMATION AND PUBLICITY DEPARTMENT, FORT
SAINT GEORGE, CHENNAI-9

6 THE DISTRICT COLLECTOR
MADURAI DISTRICT, MADURAI-625 020

7 THE REVENUE DIVISIONAL OFFICER,
MADURAI REVENUE DIVISION, MADURAI-625 020

8 THE REVENUE TAHSILDAR
MADURAI SOUTH TALUK, MADURAI-625 020.

9 THE COMMISSIONER
MUNICIPAL CORPORATION OF MADURAI, MADURAI

10 THE DIVISIONAL ENGINEER OF HIGHWAYS,
MADURAI DIVISION, MADURAI

11 THE COMMISSIONER OF POLICE
MADURAI CITY, MADURAI

Writ Petitions and writ miscellaneous petition filed under Article 226 of the Constitution of India praying that in these circumstances stated therein and in the respective affidavits filed therewith the High Court will be pleased to issue a writ or order or direction or in the nature of writ of certiorarified mandamus, calling for the records pertaining to the Government Order in GO Ms.No.213 dated 4.7.2019 passed by the 1st respondent and quash the same and consequently direct the 1st respondent to grant permission to the petitioner association to install the statue of Maveeran Sundaralinganar in the place located by the petitioner association as per the direction given in WP No.29958 of 2014 dated 8.1.2019 passed by this Honourable Court (in WP.No.194/2020)

(ii) To pass an order of interim direction, directing the respondents herein to remove the statue of the political leader of A.I.A.D.M.K Party and the former Chief Minister of Tamil Nadu J.Jeyalalitha erected near the statue of Dr.M.G.R. in the tirangular place connecting flower, vegetable and fruit markets road nearby District Court Campus, Madurai, (IN WMP.NO.223/2020) pending disposal of the above WP.No.194/2020

(iii) To pass an order of interim direction, directing the respondents herein to remove the statue of the community leader Pasumpon Muthuramalinga Thever erected in the road junction near Madurai Government Rajaji Hospital at Goriplayam in Madurai, (IN WMP.NO.225/2020) pending disposal of the above WP.No.194/2020

Order : These petitions coming on this day for hearing upon perusing the petitions and the respective affidavits filed in support thereof and upon hearing the arguments of M/S.K.KANNAN, Advocate for the petitioner in both the petitions, and of MRS.R.ANITHA, LEARNED STATE GOVERNMENT COUNSEL appearing for the Respondents in both the petitions the Court made the following order:-

[Order of the Court was made by N.KIRUBAKARAN, J.,]

Though the Government has filed a report with regard to the number of statues erected in and around Chennai, it is not clear as to how many statues have been erected after getting approvals and

how many statues have got no approval and how many statues have been erected in violation to the directions of the Hon'ble Supreme Court. Hence, the said details shall be furnished before this Court in the next hearing date by the Respondents.

2.Further, it is seen that the proposed place for the erection of the statue of Maveeran Sundaralingar falls under the banned category of places specified by the Hon'ble Supreme Court of India in SLP (C) No.8519 of 2006 and hence, it is not known as to how in the same location another leader statue has been allowed to be erected.

3.This Court is of the view that in the name of respecting leaders, people are erecting statues and later, those statues are caged, which is in a way of doing injustice to the respected leaders. It is seen that many statues are vandalised, damaged and has been made as a disturbance of peace in the society. Therefore, why not the Government, hereafter, prohibit the erection of statues in public places including roads and Mrs.R.Anitha, Learned State Government Counsel appearing for the Respondents is directed to get instructions in this regard.

4.Further, a report shall also be filed by the Respondents before this Court in the next hearing date as to how many statues, in and around Tamil Nadu are erected with approval, without approval and in violation to the directions of the Hon'ble Supreme Court.

Call the matter on 06.08.2021.

-sd/-
30/07/2021
/ TRUE COPY /

Sub-Assistant Registrar (Statistics / C.S.)
High Court, Madras - 600 104.

TO

1 THE ADDITIONAL CHIEF SECRETARY,
THE GOVERNMENT OF TAMIL NADU,
REVENUE AND DISASTER MANAGEMENT DEPARTMENT,
FORT SAINT GEORGE, CHENNAI-9

2 THE PRINCIPAL SECRETARY,
THE GOVERNMENT OF TAMIL NADU HOME
DEPARTMENT, FORT SAINT GEORGE, CHENNAI-9

3 THE SECRETARY,
THE GOVERNMENT OF TAMIL NADU, HIGHWAYS
DEPARTMENT, FORT SAINT GEORGE, CHENNAI-9

4 THE SECRETARY,
THE GOVERNMENT OF TAMIL NADU, MUNICIPAL
ADMINISTRATION AND WATER SUPPLY DEPARTMENT,
FORT SAINT GEORGE, CHENNAI-9

5 THE PRINCIPAL SECRETARY,
THE GOVERNMENT OF TAMIL NADU, INFORMATION
AND PUBLICITY DEPARTMENT, FORT SAINT GEORGE,
CHENNAI-9

6 THE DISTRICT COLLECTOR
MADURAI DISTRICT, MADURAI-625 020

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ER, MADURAI REVENUE DIVISION, MADURAI-625 020

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9 THE COMMISSIONER
MUNICIPAL CORPORATION OF MADURAI, MADURAI

10 THE DIVISIONAL ENGINEER OF HIGHWAYS,
MADURAI DIVISION, MADURAI

11 THE COMMISSIONER OF POLICE
MADURAI CITY, MADURAI.

12 THE CHIEF SECRETARY TO GOVERNMENT,
THE GOVERNMENT OF TAMIL NADU
FORT SAINT GEORGE, CHENNAI-9

Order

in

WP.No.194 of 2020

and WMP.Nos.223 & 225 of 2020

Date :30/07/2021

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