



W.P(MD)No.33478 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED : 21.11.2025

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.33478 of 2025

Manimegalai

... Petitioner

Vs.

- 1.The District Collector,
Sivagangai District.
- 2.The District Revenue Officer,
Sivagangai District.
- 3.The Revenue Divisional Officer,
Sivagangai District.
- 4.The Tahsildar,
Sivagangai Taluk,
Sivagangai District.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the fourth respondent to handover the statue of Freedom fighters, namely, Marudhu pandiyar's to the petitioner and consequently forbearing the respondents from intervening in Re-installing the statue of Freedom Fighters, namely,



W.P(MD)No.33478 of 2025

Marudhu pandiyars in inside of the petitioner's patta land in Patta No. 7274 vide Survey No.144/7B at Baiyoor Village, Baiyoor Pillaivayal Group, Sivagangai Taluk, Sivagangai District.

For Petitioner : Mr.R.Udhayakumar
For Respondents : Mr.M.Lingadurai
Special Government Pleader

ORDER

Heard both sides.

2.The writ petitioner had installed the statues of Marudhu pandiyar brothers who are legendry freedom fighters. One hour after the installation, the jurisdictional Tahsildar seized them and took them into his custody. The petitioner has filed this writ petition for directing the fourth respondent to hand over the statues back and refrain from interfering with her right to re-install the statues on her patta land.

3.The learned Special Government Pleader draws my attention to G.O(Ms)No.629 Revenue and Disaster Management Department dated 16.09.2025 wherein a standard operating procedure for installing statues



W.P(MD)No.33478 of 2025

in one's private lands has been laid. The Government Order envisages obtaining prior permission from the Divisional Level and District Level committee. The committees have been authorised to stipulate appropriate conditions.

4.I would have called upon the petitioner to approach the authorities concerned in terms of the aforesaid GO. However, my attention is drawn to the order dated 28.02.2025 passed by the Division Bench (to which I was a party) in W.P(MD)No.18166 of 2020 (Manimegalai Vs The Home Secretary, State of Tamil Nadu, Secretariat, Chennai & Others) dated 28.02.2025. The prayer in the said writ petition reads as follows:

“Prayer: Writ petition filed under Article 226 of the Constitution of India, forbearing the respondents No.2 to 5 from in any way interfering the work relating to installation of a full size bronze statue of Freedom Fighters Viz., Marudhu Pandiyars in the petitioner's patta land in Patta No. 7274 vide Survey No.144/7B to the extent of 10 cent at Baiyoor Village, Baiyoor Pillaivayal Group, Sivagangai Taluk, Sivagangai District, on the basis of the similar order passed by this



WEB COPY



W.P(MD)No.33478 of 2025

Hon'ble Court in WP(MD)No.19798 of 2017 dated 27.02.2020 and P. Maniyarasan Vs. The Government of Tamil Nadu reported in 2011 (1) CWC 379.”

5.The writ petition was allowed by following the earlier precedents. The order dated 28.02.2025 passed by the Division Bench is still holding good. It has not been challenged or reviewed. In these circumstances, the act of the petitioner in installing the statue was clearly in terms of the order passed by this Court. The jurisdictional Tahsildar committed gross contempt by removing the same and taking them into his custody. I thought of initiating *suo motu* contempt proceedings against the jurisdictional Tahsildar, R.Malligarjunan. However, the learned Special Government Pleader called upon me not to take such a harsh course of action because the Tahsildar was labouring under the impression that without the prior permission from the District Collector, Sivagangai the statues could not have been installed. Though I am unable to condone the action of the Tahsildar, accepting the request made by the learned Special Government Pleader, I drop the idea of initiating *suo motu* contempt proceedings. The Tahsildar can atone only by handing over the seized statues immediately to the writ petitioner. The writ petitioner is at liberty to re-install the statues. However, taking note



W.P(MD)No.33478 of 2025

of the policy behind G.O(Ms)No.629 Revenue and Disaster Management

Department dated 16.09.2025, I direct the writ petitioner to abide by whatever conditions that may be stipulated by the fourth respondent.

6.With the aforesaid direction to the writ petitioner as well as the fourth respondent, this Writ Petition is allowed. No costs.

21.11.2025

NCC : Yes / No
Index : Yes / No
Internet : Yes / No
MGA

To

- 1.The District Collector,
Sivagangai District.
- 2.The District Revenue Officer,
Sivagangai District.
- 3.The Revenue Divisional Officer,
Sivagangai District.
- 4.The Tahsildar,
Sivagangai Taluk,
Sivagangai District.



WEB COPY



W.P(MD)No.33478 of 2025

G.R.SWAMINATHAN, J.

MGA

W.P(MD)No.33478 of 2025

21.11.2025