

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED:01.08.2016

CORAM :

The Hon'ble MR.SANJAY KISHAN KAUL, CHIEF JUSTICE

AND

The Hon'ble MR.JUSTICE R.MAHADEVAN

W.P.No.249 of 2011

M.T.Arunan

.. Petitioner

-vs-

1.The Registrar-General
High Court, Madras.

2.The Registrar (Administration)
cum Secretary, Heritage Committee,
High Court, Madras.

3.The Secretary,
Public Works Department,
Government of Tamil Nadu,
Chennai.

4.Archaeological Officer,
Department of Archaeology,
Tamil Valarchi Valaagam,
Halls Road, Egmore, Chennai 600 008.

5.Archaeological Survey of India,
Rep. By the Director General,
Janpath, New Delhi - 110 011.
(R-5 impleaded as per order dt.
10.4.2012 in MP.2/2012)

6.The Chief Engineer (Buildings)
PWD, Chempauk, Chennai.
(R-6 impleaded as per order dt.
31.10.2013 in WP.249/11)

.. Respondents

Petition filed under Article 226 of the Constitution of India praying for issue of Writ of Mandamus to direct the respondents 1 to 3, their men, agents or servants to take appropriate measures to safeguard with the consultation of the 4th respondent.

For Petitioner : Mr.M.T.Arunan
Party-in-Person

For Respondents : Mr.R.Suresh Kumar for RR 1 & 2
: Mr.T.N.Rajagopalan, Spl.G.P.
For RR 3, 4 and 6
: Mr.S.M.Deenadayalan for R-5

* * * * *
O R D E R

(Order of the Court was made by The Hon'ble Chief Justice)

We have heard the learned counsel for parties. The minutes of the last meeting of the Heritage Committee have also been produced before us. The action taken report has been placed on record, which contains a bar chart indicating by when the works would be completed. From the bar chart, it is apparent that some part of the work is to be completed by 30th September, 2016, while another part of the work is to be completed by 30th November, 2016. However, in so far as the restoration of ancient paintings in the Madras High Court domes is concerned, the task is sought to be entrusted to NRLC, which is an expert body and the Government orders in that behalf are awaited.

2.We may also note that in the bar chart, there are some works which have been attended to a very limited extent, i.e. about 10 to 35% of the work has been done. These works would have to be looked into.

3.As an illustration, we have pointed out to the respondents that while the glass paintings on the windows even in the Chief Justice's Court on one side are the original one, what has been put on the other side appeared to have no correlation with the original painting. Similarly, in the process of installing air-conditioning, huge structures have been built, which may require a re-look to make them more palatable to the eye. These works may also be looked into.

4.We are of the view that since the Heritage Committee is already monitoring the matter, no useful purpose would be served by keeping the matter pending, but liberty can be granted to the Heritage Committee to move the Court for any directions. We are, thus, inclined to close the proceedings, but would monitor it for two more dates to see that the deadline of 30th September, 2016 and 30th November, 2016 are at least met.

5.Mr.M.T.Arunan, learned counsel appearing in person, suggests that a greater input may be obtained from the Archaeological Survey of India (ASI) in terms of some expert in the field being nominated to the Committee by the ASI. It is

also a suggestion that such a person would carry out even an independent inspection to see the quality of the work. The Director General, ASI, may look into the issue as to who should be nominated.

6.Writ petition, accordingly, stands disposed of. No costs.

7.List for compliance on 07.10.2016. The compliance report to be filed three days before the said date.

sra

Sd/-

Asst.Registrar

/true copy/

Sub Asst. Registrar

To

1.The Registrar-General, High Court, Madras.

1(a) The Registrar (Judicial), High Court, Madras-104.

2.The Registrar (Administration)
cum Secretary, Heritage Committee,
High Court, Madras.

(A Copy of the Order may be placed before the Heritage Committee)

3.The Secretary,
Public Works Department,
Government of Tamil Nadu, Chennai.

4.Archaeological Officer,
Department of Archaeology,
Tamil Valarchi Valaagam,
Halls Road, Egmore, Chennai 600 008.

5.Archaeological Survey of India,
Rep. By the Director General,
Janpath, New Delhi - 110 011.

6.The Chief Engineer (Buildings)
PWD, Chepauk, Chennai.

7. The Section Officer, Writ Section,
High Court, Madras. (List the Matter on 07/10/16)

+ 1 cc to Mr.M.T.Arunan, Advocate SR NO 10183[07/09/16]

+ 1 cc to Mr.S.M.Deenadayalan, Advocate Sr 43726

+ 1 cc to The Govt. Pleader, Sr 43815

KR/19/8/16

W.P.No.249 of 2011