

THE HON'BLE THE ACTING CHIEF JUSTICE RAMESH RANGANATHAN

Writ Petition No.9687 of 2011

ORDER:

The relief sought for in this writ petition is for a mandamus to declare the action of the respondents in trying to remove the statue of Dr.B.R.Ambedkar installed at Phulong Chowrasta, Nizamabad on 14.04.1992, and to install another statue of Dr.B.R.Ambedkar in its place, as illegal and arbitrary. A consequential direction is sought to the respondents not to remove the statue of Dr.B.R.Ambedkar installed at Phulong Chowrasta, Nizamabad.

Sri K.Rama Subba Rao, learned counsel for the petitioner, would submit that, in case the respondents intend to install another statue of Dr.B.R.Ambedkar, it is always open to them to install the statue at another place, instead of removing the existing statue; and the action of the respondents in doing so is wholly irrational and arbitrary.

It is not as if the respondent authorities had sought to replace the statue of Dr.B.R.Ambedkar with any other prominent public representative. The existing statue of Dr.B.R.Ambedkar was sought to be replaced by another. The circumstances, which necessitated replacing of the existing statue, is not known. The question whether or not the respondents were justified in replacing one statue of Dr.B.R.Ambedkar with another are matters which would, ordinarily, not be examined in proceedings under Article 226 of the Constitution of India. In any event, as interim directions were granted in W.P.M.P.No.11975 of 2011 on 11.04.2011, the petitioner has had the benefit of an interim order for the past nearly 7 years.

As the petitioner's grievance, regarding substitution of one statue of Dr.B.R.Ambedkar with another, can only be addressed by the District Collector, suffice it to permit the petitioner to submit a representation to the respondents conveying his objections to the substitution of one

statue of Dr.B.R.Ambedkar with another. In case, any such representation is made within two weeks from today, the respondents shall consider the same in accordance with law and pass appropriate orders thereupon. Till orders are passed on the petitioner's representation, the interim order granted by this Court on 11.04.2011 shall continue to remain in force.

The Writ Petition stands disposed of accordingly. Miscellaneous Petitions pending, if any, shall also stand disposed of. There shall be no order as to costs.

(RAMESH RANGANATHAN, ACJ)

19th January, 2018
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Date: 19.01.2018

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