



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Dated : 18.02.2020

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WEB COPY

THE HONOURABLE MR.JUSTICE A.D.JAGADISH CHANDIRA

WP. (MD)No.2800 of 2020

K.Karuppiah

... Petitioner

Vs.

- 1.The District Collector,
District Collector Office,
Sivagangai District.
- 2.The Tahsildar,
Thiruppathur Block,
Sivagangai District.
- 3.The Superintendent of Police,
Office of the Superintendent of Police,
Sivagangai District.
- 4.The Inspector of Police,
Keelasevalpatti Police Station,
Sivagangai District.
- 5.The President,
Therku Ilayathankudi Panchayat
Thiruppathur Taluk,
Sivagangai District.

...Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the second respondent to provide necessary instructions to the petitioner for erecting the statue of Freedom Fighter Muthuramalinga Thevar at Survey No.219/8A and 219/8B at Therku Ilayathankudi Group, Muthur Village, Thiruppathur Taluk, Sivagangai District, by considering the petitioner's representation dated 20.01.2020.

For Petitioner : Mr.R.Ganeshprabhu

For R1 to R4 : Mrs.S.Bharathi

Government Advocate (Crl. side)

O R D E R

This writ petition has been filed seeking for a direction to the second respondent to provide necessary instructions to the petitioner for erecting the statue of Freedom Fighter Muthuramalinga



Thevar at Survey No.219/8A and 219/8B at Therku Ilayathankudi Group, Muthur Village, Thiruppathur Taluk, Sivagangai District, by considering the petitioner's representation, dated 20.01.2020.

2.Heard the learned Counsel appearing for the petitioner and the learned Government Advocate (Crl.Side) appearing for the respondents.

3.It is the grievance of the petitioner that he is the owner of plot comprised of 11 cents situated in S.No.219/8A and 219/8B and patta No.402 at South Ilayathankudi Group, Muthur Village, Thiruppathur Block, Sivagangai District. The petitioner had intended to erect the statue of freedom fighter Muthuramalinga Thevar in his land and he had made an application to the fifth respondent for getting no objection certificate and after considering all aspects, the fifth respondent had issued "No objection certificate" on 04.02.2020 for erecting the statue and thereafter, the petitioner had made a representation on 20.01.2020 to the first respondent herein to provide necessary instructions to erect the statue. Since it has not been considered sofar, the present writ petition has been filed.

4.Today when the matter is taken up for hearing, the learned Government Advocate (Criminal Side) appearing for the respondents would submit that the Government has issued G.O.Ms.No.221, Department of Municipal Administration and Water Supply (eep5), dated 20.12.1998 regarding grant of permission for erection of statues and that the first respondent taking into consideration the Government order will pass appropriate orders within the stipulated time.

5.In view of the above, the first respondent is directed to consider the representation of the petitioner, dated 20.01.2020 and pass orders on its own merits and in accordance with law, within a period of three months from the date of receipt of a copy of this order.

6.With the above direction, this writ petition is disposed of. No costs.

Sd/-

Assistant Registrar (CS-III)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)



sjl

To

1.The District Collector,
District Collector Office,
Sivagangai District.

2.The Tahsildar,
Thiruppathur Block,
Sivagangai District.

3.The Superintendent of Police,
Office of the Superintendent of Police,
Sivagangai District.

4.The Inspector of Police,
Keelasevalpatti Police Station,
Sivagangai District.

+1 CC to M/s.R.GANESH PRABHU, Advocate (SR-7004[F] dated 19/02/2020
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SJI

TK/SAR. /09.03.2020/3P/6C