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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 15.11.2021

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THE HONOURABLE MR.JUSTICE KRISHNAN RAMASAMY

W.P.No.28428 of 2017

P.Karunanithi

...Petitioner

..Vs..

- 1.The State of Tamil Nadu,
Rep.by its Principal Secretary to Government,
Home Department,
Secretariat, Fort St.George,
Chennai - 600 009.
- 2.The Secretary to Government,
Tamil Development and Information Department,
Secretariat, Fort St.George,
Chennai - 600 009.
- 3.The Secretary to Government,
Public Works Department,
Secretariat, Fort St.George,
Chennai - 600 009.
- 4.The Secretary to Government,
Information and Public Relations Department,
Secretariat, Fort St.George,
Chennai - 600 009.
- 5.The Commissioner,
Corporation of Greater Chennai,
Rippon Building, Chennai - 600 003.

...Respondents

PRAYER : Petition filed Under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the respondents to take immediate steps to place the previously existing stone name plaque containing the particulars and name of former Chief Minister of Tamil Nadu Kalaignar M.Karunanidhi beneath the statue of Nadigar Thilagam Sivaji Ganesan which is shifted and recently erected at the newly inaugurated Nadigar Thilagam Sivaji Ganesan Mani Mandapam premises situated at Durgabai Deshmukh Road, Adyar, Chennai after considering the representation of the petitioner dated 10.10.2017 in accordance with law on merits expeditiously within a time frame as stipulated.



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For Petitioner : Mr.R.Prabakaran
For Respondents : Mr.K.M.D.Muhilan
Government Advocate

O R D E R

This Writ Petition has been filed praying for the issuance of a Writ of Mandamus, directing the respondents to take immediate steps to place the previously existing stone name plaque containing the particulars and name of former Chief Minister of Tamil Nadu Kalaaignar M.Karunanidhi beneath the statue of Nadigar Thilagam Sivaji Ganesan which is shifted and recently erected at the newly inaugurated Nadigar Thilagam Sivaji Ganesan Mani Mandapam premises situated at Durgabai Deshmukh Road, Adyar, Chennai after considering the representation of the petitioner dated 10.10.2017 in accordance with law on merits expeditiously within a time frame as stipulated.

2. According to the petitioner, in recognition of the veteran actor of Tamil cinema Late Sivaji Ganesan who made his mark in the film industry, a bronze iconic statue in the memory of thespian actor Nadigar Thilagam Late Sivaji Ganesan was unveiled at Kamarajar Salai near Marina Beach in the arterial view of public vicinity by the former Chief Minister of Tamil Nadu Mr.M.Karunanidhi and the statue of Nadigar Thilagam Late Sivaji Ganesan, was erected on 21.07.2006. While so, since the Statue erected in the arterial road, is causing obstruction to the free flow of vehicular traffic on Marina Beach road, pursuant to the orders of this Court in a Public Interest Litigation, the erstwhile Government has removed the statue of Late Sivaji Ganesan and erected the same at the newly constructed Nadigar Thilagam Sivaji Mani Mandapam at Adyar.

3. The grievance of the petitioner is that the statue of Late Sivaji Ganesan, erected at Sivaji Mani Mandapam does not carry the original name plaque containing name of former Chief Minister of Tamil Nadu Mr.M.Karunanidhi, who was the instrumental in unveiling and erecting the bronze statue of Late Sivaji Ganesan in the year 2006. According to the petitioner, due to political reasons, the erstwhile Government has purposefully not placed the name plaque, while restoring the superstructure and the granite stone on which the bronze statue of Late Sivaji Ganesan was placed. It is also stated by the petitioner that inside the newly opened Nadigar Thilagam Sivaji Mani Mandapam, various photos and pictures of Sivaji Ganesan with various prominent political leaders and actors were exhibited but not even a single photo contains the pictures of Sivaji Ganesan with former Chief Minister, was displayed.



Therefore, the petitioner was constrained to move the present writ petition.

4. The learned Government Advocate appearing for the respondents would submit that he wants time to take appropriate instructions. However, this Court is not inclined to keep the matter pending.

5. The present Writ Petition was filed in the year 2017 and the learned Special Government Pleader takes notice for the respondents also. But till now, the representation, dated 10.10.2017 made by the petitioner has not been considered and disposed of by the respondents nor taken any steps to erect the name plaque of the former Chief Minister of Tamil Nadu Mr.M.Karunanidhi, beneath the Statue of Nadigar Thilagam Sivaji Ganesan which is recently shifted at the newly inaugurated Nadigar Thilagam Sivaji Ganesan Mani Mandapam premises at Adyar. Therefore, this Court feels it appropriate to direct the respondents to consider the representation made by the petitioner and take necessary action in the matter.

6. Accordingly, the respondents are directed to consider the representation dated 10.10.2017 made by the petitioner and take necessary action in the matter, within a period of four weeks from the date of receipt of a copy of this order.

7. The Writ Petition stands disposed of with the above direction. No costs.

Sd/-
Assistant Registrar(CS VII)

//True Copy//

Sub Assistant Registrar

Pns
To

- 1.The Principal Secretary to Government,
State of Tamil Nadu,
Home Department,
Secretariat, Fort St.George,
Chennai - 600 009.
- 2.The Secretary to Government,
Tamil Development and Information Department,
Secretariat, Fort St.George,
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3.The Secretary to Government,
Public Works Department,
Secretariat, Fort St.George,
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Information and Public Relations Department,
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Chennai - 600 009.

5.The Commissioner,
Corporation of Greater Chennai,
Rippon Building, Chennai - 600 003.

+1 cc to Government Pleader Sr.NO. 59004

W.P.No.28428 of 2017

KSM(CO)
A.SK(09.12.2021)