



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 27.07.2021

CORAM:

THE HONOURABLE MR.JUSTICE T.S.SIVAGNANAM

and

THE HONOURABLE MRS.JUSTICE S.ANANTHI

Writ Petition (MD).No.12712 of 2021

and

W.M.P.(MD).Nos.9905 and 9906 of 2021

K.Selvapreetha

... Petitioner

Vs.

1. The Secretary,
Government of Tamil Nadu,
Department of Tamil Development and News (Memorial),
Fort St. George, Chennai.
2. The Commissioner of Land Administration,
Ezhilagam,
Chepauk, Chennai 600 005.
3. The Director,
Panchayat and Rural Development,
Fort St. George, Chennai.
4. The District Collector,
Madurai.
5. The District Revenue Officer,
Madurai.
6. The Tahsildar,
Peraiyur,
Madurai District.
7. The Block Development Officer,
Sedapatty Panchayat Union,
Madurai District.
8. J.lakshmi (Contractor) ... Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India to issue a Writ of Certiorari to call for the records from the first respondent pertaining to G.O.80 of 2020, dated 19.09.2020 and quash the same.



For Petitioner : Mr.K.Surendran
For R1 to R7 : Mr.R.Baskaran
Standing counsel for Government

O R D E R

WEB COPY (Order of the Court was made by **T.S.SIVAGNANAM,J.**)

We have heard Mr.K.Surendran, learned counsel appearing for the writ petitioner and Mr.R.Baskaran, learned Government Counsel appearing for the respondents 1 to 7.

2. By way of this public interest litigation, the petitioner seeks for quashing the Government Order in G.O.Ms.No.80, Department of Tamil Development and News (Memorial), dated 19.09.2020, wherein, the Government has sanctioned a sum of Rs.1,47,00,000/- (Rupees One Crore and Forty Seven Lakhs only) for construction of a memorial for the people, who were shot dead, when they protested against the British Rule.

3. The petitioner's case is that the site which has been now selected is not proper and part of it has been classified as a Mayanam.

4. In our considered view, the object for which the Government Order was passed is to honour and remember the people who have lost their lives, so that we are all comfortably and happily living in a free independent India. So the question of selection of a site is best left to the decision of the Authorities and in a Writ proceedings, we cannot interdict or give our opinion.

5. If according to the petitioner, who is the President of Veeramangai Mayakkal Association, had a different opinion with regard to the site, which has been selected or if there is any offer made by them or others for locating memorial in a different location, it is upto them to pursue the said representation. In fact, the petitioner has clearly understood this position and precisely for that reason, she has addressed to the Hon'ble Chief Minister of the Government of Tamil Nadu by representation dated 21.05.2021.

6. Therefore, on the grounds raised, we cannot interfere with the Government Order. However, it will be open to the petitioner to pursue her representation before the appropriate Forum.

7. With the above observation, this **Writ Petition stands disposed of**. No costs. Consequently, the connected Miscellaneous Petitions are closed.

Sd/-

Assistant Registrar (CO)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)



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Note :

In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate / litigant concerned.

To

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- +1 CC to M/s.K.SURENDRAN, Advocate (SR-24145[F] dated 28/07/2021)

**Writ Petition (MD) .No.12712 of 2021
27.07.2021**

RC (03.08.2021) 3P-9C