



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 01.10.2021

CORAM

THE HONOURABLE MR.JUSTICE SENTHILKUMAR RAMAMOORTHY

W.P(MD)No.17716 of 2021

and

W.M.P. (MD) .No.14608 of 2021

WEB COPY

Saravana Raja

... Petitioner

Vs.

1.The District Collector,
Virudhunagar,
Virudhunagar District.

2.The Commissioner,
Rajapalayam Municipality,
Rajapalayam,
Virudhunagar District.

3.The Thasildar,
Rajapalayam,
Virudhunagar District.

4.Baskaran,
Town Secretary,
All India Anna Dravida Munnetra Kalagam,
Ponnurangam Moopanar Street,
Sankarankovil Mukku,
Rajapalayam - 626 117,
Virudhunagar District.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, by directing the respondents 1 to 3 not to grant permission to the fourth respondent to install M.G.R. Statue at the property in T.S.No.53/1 which is situated in front of the petitioner's property in Door Nos.178/2 and 178/3 of Rajapalayam Municipality by considering the representation of the petitioner dated 22.09.2021.

For Petitioner : Mr.S.C.Herold Singh
For R-1 and R-3 : Mr.P.Subbaraj,
Counsel for State.
For R-2 : Mr.N.Dilip Kumar

ORDER

The petitioner seeks to prevent the fourth respondent from installing a statue of a former Chief Minister in front of his



property bearing Door Nos.178/2 and 178/3 in the Rajapalayam Municipality.

2. The petitioner states that he has constructed three shops facing Lakshmipuram Street. Originally, a statue of the former Chief Minister was installed on the main road, which is situated to the North of the petitioner's property. Subsequently, it is stated that there is a proposal to remove the said statue and re-install the same. According to the petitioner, the fourth respondent has initiated steps to re-install such statue in front of the petitioner's shop at Lakshmipuram Street. If such installation is made, it is stated that it would impede ingress and egress to and from the petitioner's shop. Therefore, the petitioner submitted a representation dated 22.09.2021.

3. Mr.P.Subbaraj, learned counsel for the State, accepts notice on behalf of respondents 1 and 3 and Mr.N.Dilip Kumar, learned Standing Counsel, accepts notice on behalf of the second respondent. Mr.P.Subbaraj, submits that the petitioner's representation may be considered and disposed of in accordance with law.

4. The second respondent states, on instructions, that permission has not been granted to the fourth respondent in relation to the installation of the statue at the location indicated by the petitioner. The said statement is recorded.

5. Given the limited scope of the Writ Petition, it is not necessary to enter findings on the merits thereof. Indeed, it is sufficient if the first and second respondents are directed to consider and dispose of the petitioner's representation expeditiously.

6. Accordingly, the first and second respondents are directed to consider the petitioner's representation dated 22.09.2021 and dispose of the same on merits and in accordance with law within a period of thirty (30) days from the date of receipt of a copy of this order.

7. W.P.(MD).No.17716 of 2021 is disposed of on these terms without any order as to costs. Consequently, W.M.P.(MD).No.14608 of 2021 is closed.

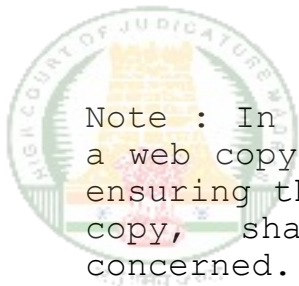
Sd/-

Assistant Registrar (Records)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)



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.

WEB COPY

- To
- 1.The District Collector,
Virudhunagar,
Virudhunagar District.
 - 2.The Commissioner,
Rajapalayam Municipality,
Rajapalayam,
Virudhunagar District.
 - 3.The Thasildar,
Rajapalayam,
Virudhunagar District.

+1 CC to M/s.S.C.HEROLD SINGH, Advocate (SR-31082[F] dated 04/10/2021)

+1 CC to M/s.N.DILIPKUMAR, Advocate (SR-31106[F] dated 04/10/2021)

+1 CC to M/s.SPL.GP (SR-31000[F] dated 04/10/2021)

W.P (MD) No.17716 of 2021

and

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RD(12.10.2021) 3P 7C