



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 25.01.2022

CORAM :

THE HON'BLE MR.MUNISHWAR NATH BHANDARI,
ACTING CHIEF JUSTICE

AND

THE HON'BLE MR.JUSTICE P.D.AUDIKESSAVALU

W.P.No.1017 of 2022

P.Babu

.. Petitioner

Vs

1. The Ministry of Defence,
rep. by Secretary,
South Block,
Ministry of Defence,
New Delhi - 110 011.

2. The Expert Committee for Republic Parade,
rep. by its Joint Secretary,
Room No.234-South Block,
Ministry of Defence,
New Delhi.

3. The State of Tamil Nadu,
rep. by its Chief Secretary to Government,
Fort St. George,
Chennai.

.. Respondents

Prayer: Petition filed under Article 226 of the Constitution of India praying for a writ of mandamus to direct the respondents 1 and 2 to permit the State of Tamil Nadu to participate the third respondent in the tableaux and to display our State's Culture, Tradition etc. in the 73rd Republic day Parade which is scheduled to be held on 26.01.2022 at New Delhi

For the Petitioner : Mr.Colonel Dr.Edwin Jesudoss

For the Respondents : Mr.R.Sankaranarayanan
Addl. Solicitor General
assisted by
Mr.Rajesh Vivekanandan
for respondent Nos.1 and 2



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: Mr.P.Muthukumar
State Government Pleader
for respondent No.3

ORDER

(Order of the Court was made by
the Hon'ble Acting Chief Justice)

This writ petition has been filed to seek a direction on the respondents 1 and 2 to permit the State of Tamil Nadu to display its tableau depicting the State's Culture, Tradition, etc. in the 73rd Republic Day parade, which is scheduled to be held on 26.01.2022 at New Delhi.

2. In effect, the petitioner seeks a direction on respondents 1 and 2 to permit the State Tamil Nadu to display its tableau. If at all a cause is to be raised challenging such denial, it should have been by the State of Tamil Nadu. However, instead of the State of Tamil Nadu, a litigation has been filed by an individual without submitting the relevant documents, but by merely filing some articles that appeared in the newspapers, which cannot be taken as the basis for issuance of the direction of the nature sought by the petitioner. It is stated by the petitioner that the Union Defence Minister conveyed that the State of Tamil Nadu did not qualify for participation in the parade, thus, necessary permission was not given. The statement aforesaid is stated to have been made orally, but nothing on record has been placed to consider the grounds of rejection in order to challenge such non-consideration.

3. Furthermore, the writ petition to direct respondents 1 and 2 to permit the State of Tamil Nadu to display its tableau in the parade scheduled to be held tomorrow i.e. 26.01.2022, has been filed at the eleventh hour and the same cannot be granted at this distant point of time, as it involves high security arrangements. Thus, the prayer made in the writ petition cannot be granted.

4. Accordingly, the writ petition is dismissed summarily.
No costs.

Sd/-
Assistant Registrar (CS-II)

//True Copy//

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Sub Assistant Registrar



To:

1. The Secretary,
Ministry of Defence,
South Block,
Ministry of Defence,
New Delhi - 110 011.
2. The Joint Secretary,
Expert Committee for Republic Parade,
Room No.234-South Block,
Ministry of Defence,
New Delhi.
3. The Chief Secretary to Government,
State of Tamil Nadu,
Fort St. George,
Chennai.

+1cc to Mr.R.Rajesh Vivekananthan, Advocate, S.R.No.4394

+1cc to the Government Pleader, S.R.No.4727 (26/05/2022)

W.P.No.1017 of 2022

PM(CO)
SU(31/01/2022)