



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 21.03.2022

CORAM:

THE HONOURABLE MR.JUSTICE PARESH UPADHYAY

AND

THE HONOURABLE MR.JUSTICE KRISHNAN RAMASAMY

W.P(MD)No.4902 of 2022

R.B.Kannan

.. Petitioner

Vs

1. The Chief Secretary to Government,
Government of Tamil Nadu,
Secretariat, Chennai.

2. The Home Secretary,
Government of Tamil Nadu,
Secretariat, Chennai.

3. The District Collector,
Madurai District, Madurai.

4. The Superintendent of Police,
Madurai District, Madurai.

.. Respondents

Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus by directing the respondents to revoke the permission issued by them for erection of Perumbidigu Muthiraiyar bronze statue at Anaiyur, Madurai, by considering the petitioner's representation dated 14.03.2022.

For Petitioner	:	Mr.A.Muthumanickam
For Respondents	:	Mr.K.Balasubramanian, Special Government Pleader

ORDER

(Made by PARESH UPADHYAY, J.)

This petition is styled as Public Interest Litigation with the following prayer:

"For the reasons stated above, it is therefore prayed that this Hon'ble court may be pleased to issue an order of direction or Writ more particularly in the nature of Writ of Mandamus by directing the respondents to revoke the permission issued by them for erection of Perumbidigu Muthiraiyar bronze statue at Anaiyur, Madurai, by considering the petitioner's representation dated 14.03.2022 and pass such other or further orders as this Honourable Court may deem fit and proper in the circumstances of this case and thus render justice".



2. The averments in the petition are as follows:

"3.I humbly submit that, I am the organizer of Samathuvar Eyakkam at Ramanathapuram and I am a permanent resident of the above said address. I had seen the pamphlet as well as the poster regarding the erection of statue at Anaiyur at 03.00 P.M., on 19.03.2022 (Saturday). In the said pamphlet, it had stated that, the statue will be erected by the Member of Legislative Assembly Udyhanithi Stalin and there was an announcement that, some people representative including Hon'ble Ministers.

4.I humbly submit that, we come across the many incident that the Police faced the severe problems in respect of broken of statue and insulting of statue and we come across the numerous breaching of law and order situations in regarding erection of political, leaders, who were now, claimed to be the caste leader by certain caste outfit leaders, defaming their respect among the general public. It should be definitely curtailed by the Government".

3. The copy of invitation card is placed on record at page No.18. It shows the pictures of Hon'ble Chief Minister and along with him, the person who is referred to in paragraph No.3 of the petition.

4. On being asked, which permission is sought to be revoked, learned advocate for the petitioner states that he does not have the copy of the permission which is sought to be challenged. Further this petition was filed on 17.03.2022 and the function was on 19.03.2022.

5.We do not intend to say that, the petition has become infructuous and therefore it can not be entertained. However we hold that, such a petition with these averments and such prayers can not be entertained. The function sought to be obstructed, according to us is not such, where any intervention by this Court would be required under Article 226 of the Constitution of India.

6.For the above reasons, this petition is dismissed. No costs.

Sd/-

Assistant Registrar (AD-I)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

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To

1. The Chief Secretary to Government,
Government of Tamil Nadu,
Secretariat, Chennai.

2. The Home Secretary,
Government of Tamil Nadu,
Secretariat, Chennai.

3. The District Collector,
Madurai District,
Madurai.

4. The Superintendent of Police,
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+1 CC to M/s.SPL GP (SR-13451[F] dated 22/03/2022)

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21.03.2022

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GC(30.03.2022) 3P 6C