



W.P.(MD)No.26088 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 18.11.2022

CORAM

THE HONOURABLE Mrs. JUSTICE V.BHAVANI SUBBAROYAN

Writ Petition (MD) No.26088 of 2022

Sundaramoorthi, S/o.Chinnasami

.. Petitioner

Versus

1.The District Collector,
Madurai District,
Madurai.

2.The Revenue Divisional Officer,
Usilampatti Revenue Division,
Usilampatti,
Madurai District.

3.The Tahsildar,
Usilampatti Taluk,
Usilampatti,
Madurai District.

.. Respondents

Prayer :- Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus, directing the respondents1 and 2 herein to grant permission to draw a picture of Dr.Ambedkar in a new wall in Survey No.582, situated at Thottappanayakkanur Village in the light of the resolution passed by the Grama Saba Meeting in Resolution No.35, dated 01.05.2022, based on the petitioner's representation dated 17.06.2022.

For Petitioner : Mr.M.Maran

For Respondents : Mr.D.Gandhiraj
Special Government Pleader



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ORDER

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The petitioner has approached this Court seeking a direction to the respondents 1 and 2 herein to grant permission to draw a picture of Dr.Ambedkar in a new wall in Survey No.582, situated at Thottappanayakkanur Village, in the light of the resolution passed in the Grama Sabha Meeting, vide Resolution No.35, dated 01.05.2022, based on the petitioner's representation dated 17.06.2022.

2. Heard Mr.M.Maran, learned counsel for the petitioner and Mr.D.Gandhiraj, learned Special Government Pleader, who accepts notice on behalf of the respondents. By consent, the Writ Petition is taken up for final disposal at the admission stage itself.

3. The case of the petitioner is that Dr.Ambedkar's photo, which was fixed in S.No.582 at Thottappanayakkanur Village was damaged due to rain and sunlight. Thus, the Village people decided to draw the portrait of Dr.Ambedkar in a new Wall *i.e.*, in S.No.582, situated at Thottappanayakkanur Village. When they started to draw the portrait in the said Wall, the Inspector of Police, Usilampatti, without receiving any complaint from anybody, voluntarily came to the petitioner's Village and stopped the drawing work

<https://www.mhc.trisat.in/judis> stating that if the Villagers draw Dr.Ambedkar's portrait in the new Wall, law



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and order problem would arise and advised the Villagers to do the said work after getting permission from the first respondent/District Collector. Hence, the Villagers submitted an application to the third respondent/Tahsildar, seeking permission to draw the portrait of Dr.Ambedkar in the new Wall. Thereafter, the Village Administrative Officer and the Revenue Inspector inspected and enquired about the issue regarding drawing Dr.Ambedkar's portrait and both of them gave an opinion to the third respondent stating that the subject land in S.No.582 is classified as road and if the Villagers draw Dr.Ambedkar's portrait after getting permission from the first respondent, there would not be any possibility of law and order problem.

4. The Villagers approached the Panchayat President and the Councilor requesting to allow them to draw Dr.Ambedkar's portrait in the new wall. The Panchayat President and the Councilor also gave their recommendations. Moreover, on 01.05.2022, Resolution No.35 was passed in the Grama Sabha Meeting to draw Dr.Ambedkar's portrait in the new wall. Thus, the petitioner sent a representation to the respondents on 17.06.2022, seeking permission to draw Dr.Ambedkar's portrait, based on the report of the Village Administrative Officer and the Revenue Inspector and the recommendation letters of the Panchayat President and the Councilor and also as per Resolution No.35, dated 01.05.2022. The third respondent sent a recommendation letter dated



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17.07.2022 to the second respondent. Thereafter, no steps were taken by the second respondent. The Villagers are preparing to celebrate the forthcoming Memorial Day of Dr.Ambedkar on 06.12.2022. Hence, having left with no other alternative, effective and efficacious remedy, the petitioner has approached this Court by way of filing the present Writ Petition for the relief stated supra.

5. The learned counsel appearing for the petitioner submitted that the entire Village people are treating Dr.Ambedkar as their God and a Resolution has already been passed by the Village Panchayat, permitting the Villagers to draw Dr.Ambedkar's portrait in the new Wall, which is only 3 feet in height. The learned counsel also submitted that it would suffice, if the respondents 1 and 2 are directed to dispose of the representation of the petitioner, dated 17.06.2022, on merits and in accordance with law, within a time frame.

6. The learned Special Government Pleader appearing for the respondents has no serious objection for such an order being passed by this Court.

7. Considering the limited request made by the learned counsel for the petitioner, this Court, without going into the merits of the matter, directs the



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respondents 1 and 2 to consider the petitioner's representation, dated 17.06.2022 and pass appropriate orders, on merits and in accordance with law, within a period of twelve weeks from the date of receipt of a copy of this order.

8. With the above direction, this Writ Petition is disposed of. No costs.

Index : Yes/No
smn2

18.11.2022

To

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- 3.The Tahsildar,
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V.BHAVANI SUBBAROYAN, J.

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