



WEB COPY



W.P.No.16430 of 2020

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 02.01.2024

CORAM

THE HONOURABLE MR. JUSTICE S.M.SUBRAMANIAM

W.P.No.16430 of 2020

India Dravida Makkal Munnetra Katchi,
Rep. by its Founder & President,
Dr.Veera Chidambaram, Age 57,
15/1, Sarojini Nagar, Towerline Colony,
Collectorate (P.O.) Erode – 638 011.

...Petitioner

-Vs-

1.The Chief Secretary,
Govt. of Tamil Nadu,
Fort St. George,
Secretariat, Chennai – 600 009.

2.The Collector,
Erode Collectorate,
Erode – 638 011.

3.The Divisional Engineer,
Buildings & Maintenance,
Highways Department,
Erode – 638 002.

...Respondents

Prayer:- Writ petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus, directing the 2nd and 3rd respondents to permit the petitioner to install Dr.B.R.Ambedkar Statue



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near Kaalai Mattu Chinnam Junction and maintain the same to pass any other order as this Hon'ble Court may deem fit and proper in the circumstances of this case.

For Petitioner : Mr.T.Sivagnanasambandan

For R1 to R3 : Mr.P.Balathandayutham
Special Government Pleader

ORDER

The writ petition has been instituted by India Dravida Makkal Munnetra Katchi, represented by its Founder and President, Dr.Veera Chidambaram.

2. The learned counsel appearing for the petitioner made a submission that another person has taken charge as President of the petitioner's registered political party after the death of the Founder of the party, Dr.Veera Chidambaram.

3. The relief sought for in the writ proceedings is to direct respondents 2 and 3 to permit the petitioner to install Dr.B.R.Ambedkar statue near Kaalai Mattu Chinnam Junction and maintain the same.



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Admittedly, it is a public place wherein permission has been sought for to install a statue of the leader.

4. The learned Special Government Pleader appearing on behalf of respondents 1 to 3 raised an objection with reference to the prayer in the writ proceedings that the permission sought for by the petitioner cannot be granted since it is a public place, and more specifically congested area.

5. The Apex Court of India has already ruled that statues cannot be erected in public places. Since writ petition has been filed seeking a direction to install the statue of the leader in a public place, the said relief cannot be granted.

6. The learned counsel appearing for the petitioner also states that the Founder petitioner who filed the writ petition is no more, and therefore the writ petition may be disposed of.

7. In view of the facts and circumstances, the relief as such sought for in the present writ proceedings cannot be granted, and as per the



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judgment of the Apex Court and this Court, no statue can be erected in public places.

8. Accordingly, the writ petition stands dismissed. No costs.

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cda

Index : Yes/No

Speaking / Non Speaking Order



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To

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S.M.SUBRAMANIAM. J.,

cda

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