



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated: 24.07.2024

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THE HONOURABLE DR. JUSTICE ANITA SUMANTH

W.P.No.20505 of 2024

R.R.Murugan

... Petitioner

Vs

The State Represented by:

1.The Government Secretary,
Department of Rural Development and Panchayat Raj,
St.George fort, Chennai 600009.

2.The District Collector,
Officer of the District Collector
Dharmapuri.

3.The Revenue Divisional Officer,
Harur Division,
Harur, Darmapuri District.

4.The Executive Engineer,
Selection Grade Town Panchayat,
Harur, Darmapuri District.

.... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the respondents to consider the petitioner's representation dated 21.05.2024 in accordance with law by directing the respondents 1 to 3 to instruct the 4th respondent, the Executive Officer of Selection Grade Town Panchayat of Harur not to remove the statue



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of former Tamil Nadu Chief Minister Dr.MGR at Harur Bus Stand, Dharmapuri District.

For Petitioner : Mr.J.Allwyn Selva Glad

For Respondents : Mr.J.Ravindran
Additional Advocate General
assisted by
Mr.P.Harish (R1 to R3)
Government Advocate
Mr.C.Jayaprakash (R4)
Government Advocate

ORDER

Mr.P.Harish, learned Government Advocate accepts notice for R1 to R3 and Mr.C.Jayaprakash, learned Government Advocate accepts notice for R4 and both are represented by Mr.J.Ravindran, learned Additional Advocate General. They are armed with instructions to enable a final disposal of this Writ Petition, even at the stage of admission.

2. The petitioner claims to be a resident of Govindaswamy Nagar, Harur, Dharmapuri District. He is aggrieved by what he apprehends is a move by the respondents to remove the statue of former Chief Minister and founder of All India Anna Dravida Munnetra Kazhagam Dr.M.G.Ramachandran (MGR) (in short 'statute'), which is presently in the vicinity of the Harur Bus Stand, Dharmapuri.



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3. The petitioner states that the Statute was unveiled by the former Chief Minister Selvi.J.Jayalalitha and it has become customary for all political parties and the public in that locality to pay their homage to the Statute of Dr.M.G.R on his birthday and memorial day.

4. The respondents are in the process of expanding the bus stand and are engaged in construction thereof and the petitioner apprehends that in the course of the construction, R4, being the Executive Engineer, Selection Grade Town Panchayat, Harur would remove the statute in the guise of such expansion.

5. According to the petitioner, the positioning of the statute is at the corner of the bus stand and does not cause any hindrance to the public and neither will it cause any disturbance to movement of the traffic. He states that if the proposed removal of statue fructifies, the sentiments of the public would be affected adversely.

6. Mr.Ravindran, learned Additional Advocate General, who appears on behalf of the respondents states that as on date the respondents have not finalised any proposal for removal of the statute. He also submits that if at all it was the intention of the respondents to have removed the statute, such removal could have been effected by now, and hence the petitioner need not apprehend that there would be any untoward move suddenly and precipitously.



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7. The submissions of both parties have been duly taken into consideration and their submissions are placed on record in the paragraphs supra.

8. The petitioner has made a representation on 21.05.2024, where he reiterates the contents of his submissions before the Court as well as his request not to disturb the Statue. Since the request of the petitioner is best considered by the authorities taking note of all relevant parameters, this Court does not feel it appropriate to issue any directions in that regard but would prefer to leave the matter to the respondents to take a proper view bearing in mind all relevant considerations.

9. Both parties would agree that the appropriate authority to consider the representation of the petitioner will be the District Collector, Dharmapuri/R2 and hence the petitioner is permitted to appear before R2 on 31.07.2024 at 12.00 noon without awaiting any further notice in this regard. The convenience and the availability of R2 to grant audience to the petitioner has also been ascertained.

10. R2 will grant audience to the petitioner, hear him, consider all relevant materials and dispose the representation of the petitioner, within a period of two (2) weeks from date of personal hearing, in accordance with law and all extant Rules and Regulations. At this juncture, the assurance of the



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respondents to the effect that there would be no untoward or precipitous action,

in the meanwhile, is reiterated.

11. This Writ Petition is disposed in the aforesaid terms. No costs.

24.07.2024

Index : Yes / No

Speaking order

Neutral citations:Yes

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To

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Dr.ANITA SUMANTH,J.

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