



W.P(MD)No.6992 of 2024

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

DATED : 21.03.2024

CORAM

**THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN**

W.P(MD)No.6992 of 2024

A.Anbalagan

... Petitioner

Vs.

1.The District Collector,  
Office of the District Collector,  
Madurai District.

2.The Revenue Divisional Officer,  
Office of the Revenue Divisional Officer,  
Madurai South Taluk, Madurai District.

3.The Inspector of Police,  
Oormatchikulam Police Station,  
Madurai District.

... Respondents

**Prayer :** Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus, calling for the entire records connected with the impugned order in Na.Ka.No.6456/2023/C, dated 13.03.2024 passed by the 2nd respondent and quash the same as illegal consequently to directing the respondents to grant permission and to provide adequate police protection to install the Viduthalai Chiruthaigal Katchi (VCK) part flag pole at Alathoor village, Madurai district in accordance with law.



W.P.(MD)No.6992 of 2024

For Petitioner : Mr.A.Ramkumar

For Respondents : Mr.K.S.Selvaganeshan,  
Addl. Government Pleader for R1 & R2.  
Mr.Albert James,  
Govt. Advocate (Crl. Side) for R3.

### **ORDER**

When the matter was taken up for hearing, the learned Additional Government Pleader informed the Court that since the Model Code of Conduct has kicked in, it is not possible to consider the petitioner's request at present. This submission is well founded.

2.The petitioner is permitted to seek permission from the department or body in whom the site is vested. That authority will dispose of the petitioner's application in the light of the order dated 23.02.2024 passed by this Court in W.P.(MD)No.4310 of 2024. For easy reference, the said order is extracted in full:-

*“Heard both sides.*

*2.The petitioner represents a recognised political party(Viduthalai Chiruthaigal Katchi). The petitioner wants to install his party's flag pole in the petition-mentioned site. This request was rejected by the third respondent on the ground that it may give rise to law and order situation.*



**W.P(MD)No.6992 of 2024**

WEB COPY

*3.The rejection order dated 20.02.2024 passed by the third respondent is put to challenge in this writ petition.*

*4.The petitioner points out that in the vicinity, flag poles of other parties have been permitted to be installed. 5. We are a democracy and the authorities must have an uniform approach. Either they permit all the recognised political parties to install flag poles in the given site or they do not permit any of them. The authorities cannot be selective or discriminatory. The petitioner is permitted to approach the third respondent again tomorrow(24.02.2024) at 11.00 am. The third respondent will ascertain the views of the revenue authorities as well as the jurisdictional Block Development Officer and also the Panchayat president. If any decision is arrived at to remove the flag poles of all the political parties, the impugned order will hold good and the petitioner also will have to be denied permission. If the flag poles of other political parties are not proposed to be removed, then the petitioner has to be granted permission as sought for. Hoardings and flex boards shall not be permitted. The relief granted in the writ petition is only in respect of flag pole alone. This writ petition stands disposed of accordingly in the above lines. No costs.”*

3.The concerned / competent authority shall dispose of the petitioner's application within a period of four weeks from the date of receipt of application from the petitioner. Of course, the petitioner will submit the application only after the election process is over.



W.P(MD)No.6992 of 2024

WEB COPY

4. This writ petition is disposed of accordingly. No costs.

**21.03.2024**

NCC : Yes/No  
Index : Yes / No  
Internet : Yes/ No  
ias

To:-

1. The District Collector,  
Office of the District Collector,  
Madurai District.
2. The Revenue Divisional Officer,  
Office of the Revenue Divisional Officer,  
Madurai South Taluk, Madurai District.
3. The Inspector of Police,  
Oormatchikulam Police Station,  
Madurai District.



WEB COPY



**W.P(MD)No.6992 of 2024**



WEB COPY



**W.P(MD)No.6992 of 2024**

**G.R.SWAMINATHAN, J.**

ias

**W.P(MD)No.6992 of 2024**

**21.03.2024**