



W.P.(MD)No.3732 of 2018

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 11.11.2024

CORAM:

THE HONOURABLE **MR.JUSTICE G.K.ILANTHIRAIYAN**

W.P.(MD)No.3732 of 2018

Kongu Desha Maamannar Venchaman
Rep. By its President,
K.Tamilmurugan,
No.20, Karuppanapillai Street,
Velayuthapalaiyam Post,
Karur District – 639 117.

... Petitioner

/Vs./

The District Collector,
Office of the District Collector,
Karur, Karur District.

... Respondent

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, to call for the records relating to the order passed by the respondent vide Na.Ka.No.G2/11226/2016 dated 17.11.2017 and quash the same as illegal and direct the respondent to permit the petitioner to unveil the Statue and Memorial Hall of the Great King Venchaman in the Private No.1568/1, Venchamankudalur, Aravakkurchi Taluk, Karur District, within a period that may be stipulated by this Court.



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For Petitioner : Mr.M.Krishna Sreethar
For Respondent : Mr.D.Gandhi Raj
Special Government Pleader

ORDER

The writ petition has been filed challenging the order passed by the respondent dated 17.11.2017, thereby rejected the request made by the petitioner to unveil the statue of Statue and Memorial Hall of the Great King Venchaman, in the patta land comprised in Survey No.1568/1 situated at Kathanadappu Village, Papankulam Post, Nanguneri Taluk, Tirunelveli Distri Venchamankudalur, Aravakkurchi Taluk, Karur District.

2. The petitioner intended to erect stone statue of great King Venchaman, who ruled the area in and around Karur District. Therefore, the Petitioner Trust passed a resolution dated 02.12.2015, to purchase a private land for the purpose of erection of statue of great King Venchaman and also to build a Memorial Hall for him. Thereafter, the petitioner had purchased the property comprised in Survey No.1568/1 to an extent of 0.18.00 hectares situated at Venchamankudalur,



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Aravakkurchi Taluk, Karur District. He was issued patta in Patta No. 2759. When the petitioner sought for permission to unveil the statue, the same was pending. Therefore, the petitioner had approached this Court in W.P.(MD)No.17240 of 2016. This Court, by order dated 27.07.2017, directed the respondents to consider the petitioner's application and pass orders. However, the same was rejected by the respondent, vide order, dated 11.09.2017, on the ground that Rule 4(3) of Tamil Nadu Panchayat Building Rules 1997 and from the reports of Revenue Authorities and police officials, there will be a law and order issue if the permission is granted to unveil the statue of the said King Venchaman.

3. The learned Counsel for the petitioner would submit that the land in which the said King Venchaman statue erected is a patta land and there is absolutely no impediment for the respondent to reject the permission seeking to unveil the said King Venchaman statue.

4. The learned Counsel for the respondent would submit that after the report of the revenue authorities as well as the police parties, it is found that there would be a law and order problem if permissions is



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granted to unveil the statue though it is a private land.

5. On perusal of the order impugned in this writ petition reveals that the Tahsildar submitted a report stating that if the petitioner is permitted to unveil the statue there would be a communal issue since there are majority of other community people. The police report would also reveal that if the petitioner is permitted to unveil the statue in future, there will be communal quash between two community people. But contrary to the said report, there was no communal quash in the jurisdiction of the Aravakuruchi Police Station, Karur. In this regard, the petitioner obtained information under Right To Information Act and it reveals that for the past 15 years, there is no criminal case registered in respect of the issue between two communities.

6. It is clear that the State Government shall not grant any permission for installation of any statue or construction of any structure in public roads, pavements, sideways and other public utility places. Therefore, it does not apply to installation of the statue of the great King Venchaman in the private patta land of the petitioner. Further, there is no



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bar or ban imposed by the Government of Tamil Nadu with regard to the installation of the statue as on date in the private patta land. Further, there is no objection from any general public received so far to unveil the statue of the great King Venchaman in the petitioner's patta land.

7. Further, this Court in the case of ***The District Collector and others Vs. N.E.Rajadudhan (W.A(MD)No.547 of 2016, dated 25.04.2016)***, referred to the order passed by this Court in ***Srivilliputhoor Saiva Vellalar Sangam Vs. The District Collector (W.P(MD)No.8935 of 2022, dated 29.08.2012***, wherein, this Court held that in respect of unveiling the statue of V.O.C.Chidambaranar, who has rendered his life for the Independence of our Country and in the absence of any legal impediment, there is no question of preventing the petitioner from unveiling the statue in the private land. Further, observed that National leaders, who have reached their greater height have been reduced as community representatives it is rather unfortunate that the past history of such leaders is not revealed and they are identified as representatives of a particular community rather than being projected as National heroes, who



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suffered not only their lives, but also the family for the freedom of this Country.

8. Therefore, when there is no legal impediment and there is no objection from the general public, there is no question of preventing the petitioner from unveiling the statue of the King Venchaman in his own patta land. Admittedly, it does not cause nuisance to any public roads, pavings, sideways or other public utility places. In view of the above, the order impugned by the respondent dated 17.11.2017 cannot be sustained and the same is liable to be quashed.

9. Accordingly, this Writ Petition is allowed and the petitioner is permitted to unveil the statue of the King Venchaman in his patta land comprised in Survey No.1568/1 situated at Venchamannar, Aravakkurichi Taluk, Karur District. It is also made clear that the petitioner shall ensure that there would not be any law and order issue while unveiling the statue. If any untoward incident happens, the respondent is at liberty to



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take appropriate action as against the person, who committed illegality.

There shall be no order as to costs.

Index : Yes / No
Internet : Yes/No
NCC : Yes / No
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TO

The District Collector,
Office of the District Collector,
Karur, Karur District.



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G.K.ILANTHIRAIYAN, J.

jbr

Order made in
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Dated:
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