



W.P.No.7779 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

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DATED: 06.03.2025

CORAM:

THE HONOURABLE MR. JUSTICE **D.BHARATHA CHAKRAVARTHY**

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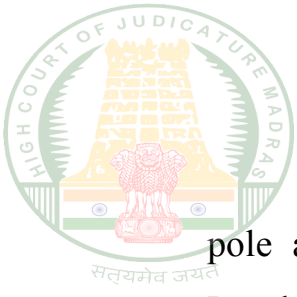
... Petitioner

Vs

1. THE DISTRICT COLLECTOR,
DISRICT COLLECTORATE OFFICE,
KRISHNAGIRI.
2. THE TAHSILDAR,
TAHSILDAR OFFICE,
UTHANGARAI.
3. THE REVENUE DIVISIONAL OFFICER,
RDO OFFICE, KRISHNAGIRI.
4. THE DISTRICT SUPERINTENDENT OF POLICE,
UTHANGARAI DSP OFFICE,
UTHANGARAI.
5. THE INSPECTOR OF POLICE,
UTHANGARAI POLICE STATION,
UTHANGARAI.

... Respondents

Prayer: Writ Petition filed under Article 226 of Constitution of India for the issuance of Writ of Mandamus, directing the second and third respondents to take immediate action on considering petitioner's representation dated 04.12.2024 and to grant the necessary permission for the erection of the flag



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pole at petitioner's property bearing Patta No. 729, situated at Rettipatti Panchayat, Chennappanaickanur Palaiyur Village, Uthangarai Taluk, Krishnagiri District.

For Petitioner	: Mr.A.Kumar
For R1 to R3	: Dr.S.Suriya Additional Government Pleader
For R4 & R5	: Mr.S.Vinoth Kumar Government Advocate (Crl.Side)

ORDER

This writ petition is filed directing the second and third respondents to take immediate action on considering the petitioner's representation dated 04.12.2024 and to grant the necessary permission for the erection of the flagpole at the petitioner's property bearing Patta No. 729, situated at Rettipatti Panchayat, ChennappanaickanurPalaiyur Village, Uthangarai Taluk, Krishnagiri District.

2. The learned counsel appearing on behalf of the petitioner submits that the petitioner belongs to a political party. He wants to erect a flagpole on his own patta land. Therefore, he is seeking due permission in this regard.



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3. The learned counsel appearing on behalf of the petitioner would also rely upon the judgment of this Court in ***Bharatiya Janata Party vs. The District Collector (W.P.(MD). No. 20364 of 2023)*** and ***A. Anbalagan vs. The District Collector (W.P.(MD). No. 6992 of 2024)***.

4. When the matter came up for admission, Mr.S.Vinoth Kumar, the learned Government Advocate (Crl.Side), taking notice on behalf of the respondents 4 and 5, submitted that the latest direction had been issued in W.P.(MD). No. 29035 of 2024, etc., which also covers the permission to be granted for patta lands. He relies upon paragraph No. 43(iii) of the said judgement, which is extracted hereunder for ready reference:-

“The political parties and other organizations are permitted to erect their permanent flagpoles in their own land that too after obtaining necessary permission from the authority concerned. In this regard, the State Government is directed to frame Rules for erection of flagpoles in the private lands.”

5. Upon considering the competing submissions, there is no difference between both sides that due permission has to be obtained and that it is a patta



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land. Therefore, the second and third respondents shall consider the representation of the petitioner dated 04.12.2024 in accordance with the rules.

If they are framing any new rules, the representation can be considered as per that rules also. The authorities shall take a decision within a period of eight weeks from the date of receipt of the web copy of the order, without waiting for the certified copy of the order. No costs.

06.03.2025

Neutral Citation: Yes/No
nsl

To

1. THE DISTRICT COLLECTOR,
DISRICT COLLECTORATE OFFICE,
KRISHNAGIRI.
2. THE TAHSILDAR,
TAHSILDAR OFFICE,
UTHANGARAI.
3. THE REVENUE DIVISIONAL OFFICER,
RDO OFFICE, KRISHNAGIRI.
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5. THE INSPECTOR OF POLICE,
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UTHANGARAI.

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