



WEB COPY



W.P.No.3610 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 03.02.2025

CORAM:

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

W.P.No.3610 of 2025
and W.M.P.Nos.4000 and 4001 of 2025

Gokula Makkal Katchi
Represented By Its District Secretary
PVM Prabhakran,
Sri Amman Bankers And Real Estate,
Second Floor, Venkatesapuram,
Perambalur - 621 212.

... Petitioner

Vs

1. The District Collector,
Perambalur.
2. The Deputy Superintendent of Police,
Perambalur.
3. The Sub Divisional Magistrate And
Sub Collector – Incharge,
Perambalur.
4. The Revenue Inspector,
Perambalur.
5. The Inspector of Police,
Perambalur.



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6. Tamil Nadu Yadava Maha Sabai, (De-Funct)
No.23, Agraharam Street,
Chindadripet, Chennai-600 002.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India praying for the issuance of Certiorarified Mandamus, calling for the records relating to the Peace Committee Meeting Resolution dated 21.09.2024 in Na.Ka.No.A3/3271/2024 of the Respondents 1 to 5, quash the same and consequently direct the Respondents 1 to 5 herein to forthwith replace the flag post with the petitioner's flag at the Four Junction Road, Perambalur.

For Petitioner : Mrs.AL.Ganthimathi
Senior Counsel
for Mr.I.Palani Muthu
For R1 to R5 : Mr.K.M.D.Muhilan
Government Advocate (Crl.side)

ORDER

This Writ Petition has been filed calling for the records relating to the Peace Committee Meeting Resolution dated 21.09.2024 in Na.Ka.No.A3/3271/2024 of the Respondents 1 to 5, quash the same and consequently direct the Respondents 1 to 5 herein to forthwith replace the flag post with the petitioner's flag at the Four Junction Road, Perambalur.

2. Heard the learned counsel for the petitioner and the learned Government Advocate (Crl.side) for the respondents 1 to 5 and perused the materials available on record.



3. It is seen that there is a dispute between the petitioner and the sixth respondent who is representing their community. According to the petitioner, without any knowledge to the petitioner, the sixth respondent appeared before the third respondent along with the counter party and agreed to remove their community flag post. Accordingly, as per the resolution, their community flag post has been removed and kept in the custody of the third respondent.

4. The learned Senior Counsel appearing for the petitioner contended that whatever the order passed in the peace committee meeting cannot be sustained, since it has no legal sanctity. This Court repeatedly held that the resolution should be passed only by the parties viz., the 6th respondent and the counter parties. The third respondent has no role to play in the resolution resolved by both the parties. Therefore, it has no legal sanctity. However, the 6th respondent and the counter parties agreed before the third respondent to remove their community flag post and accordingly, it has been removed and kept in the custody of the third respondent.



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5. If the petitioner proves that the petitioner is the recognized person to represent their community before the third respondent, the third respondent is directed to handover their flag post, within a period of four weeks from the date of receipt of a copy of this order.

6. In view of the above, this Writ Petition petition is disposed of. Consequently, connected Miscellaneous petitions are closed. No costs.

03.02.2025

Index : Yes/No
Neutral citation : Yes/No
Speaking/non-speaking order

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Perambalur.
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4. The Revenue Inspector,
Perambalur.
5. The Inspector of Police,
Perambalur.
6. The Public Prosecutor,
High Court, Madras.



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G.K.ILANTHIRAIYAN. J.

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