



W.P(MD)No.30593 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 28.10.2025

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.30593 of 2025

P.Sankar

... Petitioner

Vs.

- 1.The District Collector,
Virudhunagar District.
- 2.The Revenue Divisional Officer,
Sivakasi Sub Division,
Virudhunagar District.
- 3.The Tahsildar,
Sivakasi Taluk,
Virudhunagar District.
- 4.The State represented by
The Superintendent of Police,
Virudhunagar District.
- 5.The State represented by
The Deputy Superintendent of Police,
Sattur Sub Division,
Virudhunagar District.



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6. The State represented by
The Sub Inspector of Police,
Vembakottai Police Station,
Virudhunagar District.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the third respondent to handover the statue of freedom fighter Shree Pasumpon Muthuramalinga Thevar to the petitioner and consequently forbearing the respondents from intervening in installing the statue of Freedom Fighter Shree Pasumpon Muthuramalinga Thevar inside the building in survey No.983/49, Salvarpatti Village, Sivakasi Taluk, Virudhunagar District by considering the petitioner's representation dated 25.10.2025.

For Petitioner : Mr.P.Senguttuarasan

For Respondents : Mr.K.S.Selvaganesan
Additional Government Pleader
for R.1 to R.3

Mr.A.Albert James
Government Advocate (Criminal Side)
for R.4 to R.6

ORDER

Heard both sides.



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2.The writ petitioner is a resident of Salvarpatti Village in Virudhunagar District. He is said to be the village nattamai of the Maravar Community. The community had purchased a piece of land in Survey No.983/49 and had also constructed a community hall there. The community wants to install a statue of the legendary freedom fighter Pasumpon Muthuramalinga Thevar inside the campus. The official respondents not only prevented the petitioner from doing so but also took away the statue. Hence, this writ petition has been filed to direct the third respondent to hand over the statue and also to forbear the respondents from interfering with the petitioner's endeavour to install the same inside the campus of the community hall in the petition mentioned survey number.

3.The respondents strongly contest the writ prayer. Thiru.Nambirajan, Inspector of Police, Vembakkottai Police Station is present in person. The learned Additional Government Pleader as well as the learned Government Advocate submit that, as per the Government Orders in force, permission from the competent authority is required for installing a statue. The jurisdictional Police voice their apprehension that



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the communal atmosphere may be affected by the installation of the statue. They call upon this Court to dismiss the writ petition.

4.I carefully considered the rival contentions and went through the materials on record.

5.One aspect is not in dispute. The statue of the late leader is sought to be installed only in a patta land and that too within the campus. Vide order dated 28.02.2025 in ***WA(MD)No.1386 of 2022 (Balasubramani Vs The District Collector, Virudhunagar District, Virudhunagar & Others)***, the Division Bench (to which I was a party) had held that to install a statue in one's patta land, permission from the authorities is not required.

6.The Tahsildar, Sivakasi has no right whatsoever in law to take away the statue which belongs to the writ petitioner and his community. A statue may have symbolic value but nevertheless it is also property in the legal meaning of the term. Therefore, the third respondent could not have taken it away forcibly. In fact, no provision of law has been cited which enables the Tahsildar to seize the statue and retain it in his custody.



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7.I direct the third respondent to forthwith hand over the statue to the writ petitioner. As already mentioned, the petitioner is very much having the right to instal the statue within the petition mentioned patta land.

8.I had an interaction with Thiru.Nambirajan, Inspector of Police. I asked him that how many families are there in the village. He stated that there are around 600 families residing in the village. Out of them, 400 belong to Maravar community. The remaining families belong either to Yadhava or Chettiyar community.

9.The learned counsel for the petitioner states that invitations have been extended to the other communities to take part in the function to be conducted by the Maravar community. The petitioner's counsel asserts that there is not even a single objection received from the quarter. In fact, it is the not the case of the respondents that objections have been received against the proposed installation. I conclude, in view of the social profile, that installation of the petition mentioned statue in the petition mentioned land will not in any way disturb law and order public order.



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10.This Writ Petition is allowed accordingly. No costs.

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NCC : Yes/No
Index : Yes / No
Internet : Yes/ No
MGA

Note: Issue order copy on 28.10.2025.

To

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Virudhunagar District.
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G.R.SWAMINATHAN, J.

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