



W.P(MD)No.34462 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 27.11.2025

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.34462 of 2025

&

W.M.P.(MD)No.27263 of 2025

Ondiveeran Pagadai Charitable Trust
Rep. by its Trustee,
M.Arumugam,
S/o.Muniyandi,
D.No.6/73B, Arundhathiyar Street,
Pacheri, Nelkattum Seval Village,
Sivagiri Taluk,
Tenkasi District.

... Petitioner

Vs.

- 1.The District Collector,
Tenkasi District,
Tenkasi.
- 2.The Superintendent of Police,
Tenkasi District,
Tenkasi.
- 3.The Revenue Divisional Officer,
Sankarankovil,
Tenkasi District.
- 4.The Tahsildar,
Sankarankovil Taluk,
Tenkasi District.

... Respondents



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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 records pertaining to the impugned online order (undated) on the file of the 1st respondent and to quash to the same as arbitrary and illegal and consequentially direct the respondents herein to grant permission to build memorial hall and to install the statue of Freedom fighter Ondi Veeran in the land comprised in S.No 375/4 of Nelkattum Seval Village, Vasudevanallur, Tenkasi District.

For Petitioner : Mr.M.Thirunavukkarasu

For Respondents : Mr.M.Lingadurai
Special Government Pleader
for R1, R3 & R4

: Mr.A.Albert James
Government Advocate
for R2

ORDER

Heard both sides.

2. The writ petitioner Trust has been formed by the persons belonging to Arunthathiyar community. They want to construct a memorial hall dedicated to the freedom fighter Ondiveeran and also install his statue on a patta land. As regards the installation of the statute, the Division Bench of this Court vide order dated 28.02.2025 in W.A.(MD)No.1386 of 2022 had held that permission of the authorities need not be obtained for erecting the statue in a patta land.



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3. The learned Special Government Pleader draws my attention to the fact that subsequent to this Judgment, the Government has issued G.O.Ms.No. 629, dated 16.09.2025. But the Division Bench decision reads that till the Government brings a law regulating erection of statues even in patta lands, by issuing circulars and Government Orders, the right of an individual to put a statues in one's patta land cannot be taken away. Therefore, the aforesaid GO also cannot come in the way of the petitioner from putting up the statue in his patta land. But then, the writ Court cannot lose sight of the reality.

4. The petitioner is permitted to submit a formal application to the District Collector, Tenkasi. The District Collector, Tenkasi will grant permission for installing the statue but also impose appropriate conditions. The petitioner will have to necessarily adhere to those conditions. Such an order shall be passed by the first respondent within a period of twelve weeks from the date of receipt of a copy of this order. As regards the construction of the memorial building, permission will have to be necessarily obtained from the jurisdictional authorities.



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5. The writ petition is partly allowed. No costs. Consequently, connected miscellaneous petition is closed.

27.11.2025

Index : Yes / No
Internet : Yes/ No
rmi

To

- 1.The District Collector,
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Tenkasi.
- 2.The Superintendent of Police,
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Tenkasi.
- 3.The Revenue Divisional Officer,
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- 4.The Tahsildar,
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G.R.SWAMINATHAN, J.

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