

DEVAN RAMACHANDRAN, J.

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W.P.(C) No.1671 of 2021

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Dated this the 25th day of November, 2021

ORDER

The learned Senior Government Pleader - Sri.S.Kannan, submits that in terms of the directions of this Court, publicity was given so as to enable the persons to remove illegally erected posts and flag masts from public spaces; and that the competent Authorities have now ensured that no new ones have come up.

2. If the afore submissions of the learned Senior Government Pleader are accurate, then certainly every unauthorized posts and flag masts, presently installed in the State, will have to be, *prima facie*, made subject to the provisions of the Kerala Land Conservancy Act, 1957, ('the Act', for short) and the penalties and prosecutions as ordered therein will have to be invoked and pursued against the perpetrators.

3. Since the time frame fixed by this Court

has now expired, it has to be presumed that the persons who still maintain these flag masts or posts on public places are aware of the consequences, but have still chosen not to remove it thus being ready to face the consequences to the full effect in law.

4. At this time, the learned Senior Government Pleader prayed that this matter be called after a week so as to enable the learned Additional Advocate General to address this Court about the decisions taken or to be taken by the Government as to the manner in which the offending structures can be dealt with and removed.

Though I accede to the afore request of Sri.S.Kannan - learned Senior Government Pleader, am certain that the earlier interim order of this Court must continue to be in force, and if any new flag posts or flag masts are erected in contravention of the same and not removed as per the provisions of the Act, the competent

Authorities, including the Secretary of Local Self Government Institutions and the Revenue Authorities will certainly have to face consequences as mandated under Section 7 of the said Act.

List on 02.12.2021.

Sd/-
DEVAN RAMACHANDRAN
JUDGE

H/o
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