



W.P.No.31548 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 02.11.2023

CORAM :

THE HON'BLE MR.SANJAY V.GANGAPURWALA, CHIEF JUSTICE

AND

THE HON'BLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

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B.R.Aravindakshan

.. Petitioner

VS

- 1.The Chief Secretary,
Government of Tamil Nadu,
Fort St. George,
Chennai-09.
- 2.The Secretary,
Home Department,
Government of Tamil Nadu,
Fort St. George,
Chennai-09.
- 3.The Director General of Police,
Government of Tamil Nadu,
Chennai-04.
- 4.Bharatiya Janata Party-Tamilnadu (BJP),
rep. by its President,
Vaithiyaraman Road,
Parthasarathipuram,
Chennai-600 017.



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5. Indian National Congress,
rep. by its President,
Tamil Nadu Congress Committee,
No.40, Sathyamurthy Bhavan,
Thiru Vi Ka Road,
Chennai-600 002.
 6. Dravida Munnetra Kazhagam (DMK),
rep. by its President,
Anna Arivalayam,
Anna Salai, Teynampet,
Chennai-600 018.
 7. All India Anna Dravida Munnetra Kazhagam (AIADMK),
rep. by its General Secretary,
Avvai Shanmugam Salai,
Royapettah, Chennai-14.
 8. Pattali Makkal Katchi (PMK),
rep. by its President,
Old No.13, New No.10, Thilak Street,
T.Nagar, Chennai-600 017.
 9. Marumalarchi Dravida Munnetra Kazhagam (MDMK),
rep. by its General Secretary,
MDMK Head Office-Thayagam,
8/143, Rukmani Lakshmi pathi Road,
Egmore, Chennai-600 008.
 10. Viduthalai Chiruthaigal Katchi (VCK),
rep. by its President,
R.62, II Avenue, TNHB Colony,
Velachery, Chennai-600 042.
- .. Respondents

Prayer : Petition filed under Article 226 of the Constitution of India seeking issuance of a writ of mandamus directing the respondents 1 to 3 to take immediate steps to remove all flag-poles already erected



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unauthorisedly on public roads and other public places and to hereafter prevent erection of unauthorised flag-poles on public roads and other public places, by any political party, or any organisation, or any individual anywhere in Tamil Nadu.

For the Petitioner : Mr.V.Vargees Amal Raja

For the Respondents : Mr.P.Muthukumar
State Government Pleader
for respondents 1 and 2

: Mr.R.Muniyapparaj
Addl. Public Prosecutor
assisted by
Mr.M.Sylvester John
for respondent No.3

ORDER

(Order of the court was made by the Hon'ble Chief Justice)

We have heard Mr.V.Vargees Amal Raja, learned counsel for the petitioner; Mr.P.Muthukumar, learned State Government Pleader for respondents 1 and 2; and, Mr.R.Muniyapparaj, learned Additional Public Prosecutor, assisted by Mr.M.Sylvester John, learned counsel for respondent No.3.



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2. A prayer is made to take immediate steps to remove all flag-poles already erected unauthorisedly on public roads and other public places and to hereafter prevent erection of unauthorised flag-poles on public roads and other public places by any political party or any organisation or any individual anywhere in Tamil Nadu.

3. The writ petition is bereft of details of the erection of the alleged flag-poles. No such incident has been narrated in the writ petition.

4. Learned counsel for the petitioner submits that the present writ petition is filed to ensure that in future flag-poles may not be erected.

5. We cannot entertain the writ petition anticipating future contingencies. There are orders already passed by this Court with regard to erection of hoardings and flag-poles in W.P.No.17768 of 2016, dated 02.04.2019.



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6. In view of the above, the present writ petition ought not to have been filed. The writ petition is dismissed. There will be no order as to costs.

(S.V.G., CJ.)

(D.B.C., J.)

02.11.2023

Index : Yes/No
Neutral Citation : Yes/No
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To

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Chennai-09.
- 2.The Secretary,
Home Department,
Government of Tamil Nadu,
Fort St. George,
Chennai-09.
- 3.The Director General of Police,
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