

GOVERNMENT OF PUDUCHERRY
HOME DEPARTMENT

No.J/11014/2/2009/P3/H/Vol.II

Puducherry, dated 05.02.2013

I.D. NOTE

OFFICE OF THE ICP
PUDUCHERRY

No. 117/CP

Date 07.02.2013

Sub: Special Leave to Appeal (Civil) No.8519/2006
State of Gujarat & Others.

Ref: Letter No.VGP/PDY/406/2013 dated 28.01.2013
Record for Government of Puducherry for Supreme Court



A copy of the Supreme Court Order in Special Leave to Appeal (Civil) No.8519/2006 dated 18.01.2013 is forwarded.

02. In the above order the Supreme Court has directed all States / UTs that

“Until further orders, we direct that the status-quo, as obtaining today, shall be maintained in all respects by all concerned with regard to the Triangle Island where statue of late Shri N. Sundaran Nadar has been permitted to be sanctioned. We further direct that henceforth, State Government shall not grant any permission for installation of any statue or construction of any structure in public roads, pavements, sideways and other public utility places. Obviously, this order shall not apply to installation of high mast lights, street lights or construction relating to electrification, traffic, toll or for development and beautification of the streets, highways, roads etc. and relating to public utility and facilities.”

“The above order shall also apply to all other states and union territories. The concerned Chief Secretary/Administrator shall ensure compliance of the above order.”

03. • The concerned authorities / officials are directed to comply with the above order and Status Report of compliance may be submitted on monthly basis.

(PANKAJ KUMAR JHA)
ADDL. SECRETARY TO GOVT. (HOME)

- To
- 1) The Collector, Pondicherry
 - 2) The Collector, Karaikal
 - 3) The Inspector General of Police, Puducherry

Suos for N19

INSPECTOR OF POLICE
VILLIANUR CIRCLE
PUDUCHERRY

SUPERINTENDENT OF POLICE (SOUTH)
PUDUCHERRY

343

P. 2-13

DN

DIG/CP

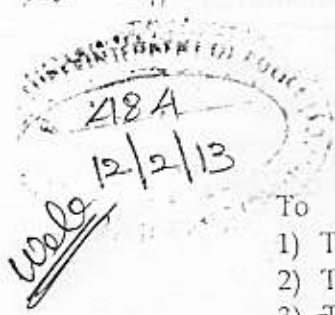
S.P.C/CP

08/02

14/2/13

All SPOs

for info.



Copy communicated
to all cis for up

735/11/2013
31/1/2013

1 FEB 2013

V.G. PRAGASAM
ADVOCATE ON RECORD
FOR GOVT. OF PUDUCHERRY
SUPREME COURT OF INDIA



RESIDENCE:
32, Supreme Enclave,
Mayur Vihar-I,
New Delhi-110 091.
Phone: 22754520

OFFICE:
104, Supreme Enclave,
Mayur Vihar Phase-I
New Delhi - 110 091.
Phone: 22754773

File No. VGP/PDY/406/2013

Dated: 28.01.2013

To

The Chief Secretary,
Home Department,
Government of Puducherry,
Chief Secretariat,
Puducherry - 605 001.

Sub:- Special Leave to Appeal (Civil) No. 8519/2006
Union of India vs. State of Gujarat & Ors.
Ref. No.J/11014/2/09/P3/H, Puducherry dt. 05.12.2009

AS (Home)

AS
4/2
Madam,

The above matter came up for hearing on 17.01.2013. The matter relates to unauthorised construction of religious structure in public streets, public parks and public places. After hearing the matter, the Hon'ble Supreme Court was pleased to direct all the State Government and Union Territories to ensure that they do not grant any permission for installation of any statue or construction of any structure in public roads, pavements, sideways and other public utility places.

I request you to kindly send me the aforesaid response in the form an affidavit duly signed with seal and attested by the Notary Public, containing the updated details on or before 08.02.2013 for filing in court in time. Copy of the order dated 18.01.2013 is enclosed herein for your kind reference. Please do the needful at the earliest.

Yours faithfully,

(V.G. Pragasam)

Encl. As above.

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

Petition(s) for Special Leave to Appeal (Civil) No(s).8519/2006

(From the judgement and order dated 02/05/2006 in SCA No.9686/2006 of The HIGH COURT OF GUJARAT AT AHMEDABAD)

UNION OF INDIA

Petitioner(s)

VERSUS

STATE OF GUJARAT & ORS.

Respondent(s)

(With appln(s) for directions, intervention, stay, impleadment, impleadment as party respondent and prayer for interim relief and office report) (for final disposal)

WITH W.P(C) No. 314 of 2010

(With appln. for exemption from filing OT and office report)

Date: 18/1/2013 These Petitions were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE R.M. LODHA

HON'BLE MR. JUSTICE SUDHANSU JYOTI MUKHOPADHAYA

For the Petitioner: Mr. R.P. Bhatt, Sr. Adv.
Mr. Shreekant N. Terdal, Adv.

WP Mr. Anoop Kr. Srivastav, Adv.
Mr. Vipin Kr. Saxena, Adv.

For the Respondent:
I.A. No. 10 Mr. Basava S. Patil, Sr. Adv.
Mr. Sekar G. Devasa, Adv.
Mr. Nirnimesh Dube, Adv.

UOI Mr. R.P. Bhatt, Sr. Adv.
Ms. Binu Tamta, Adv.
Mr. Rahul Kaushik, Adv. for
Mr. B.K. Prasad, Adv.

Puducherry Mr. C.S. Rajan, Sr. Adv.
Mr. V.G. Pragasam, Adv.
Mr. Prabu Ramasubramanian, Adv.
Mr. S.J. Aristotle, Adv.

Ms. Varuna Bhandari Gugnani, Adv.
 Mr. Gunwant, Adv. for
 Mr. D.S. Mahra, Adv.

TN
 Mr. B. Balaji, Adv.
 Mr. R. Rakesh Sharma, Adv.

West Bengal
 Mr. Abhijit Bhattacharjee, Adv.
 Mr. Bikas Kargupta, Adv.
 Ms. Sarbani Kar, Adv.
 Ms. Debjani Das Purkayastha, Adv.

UP
 Ms. Alka Agarwal, Adv.
 Ms. Shalini Kumar, Adv.
 Mr. Anuvarat Sharma, Adv.
 Ms. Alka Sinha, Adv. for
 Mr. Gunnam Venkateswara Rao, Adv.

Gujarat
 Ms. Enatoli Sema, Adv.
 Mr. Aakarshan Aditya, Adv. for
 Ms. Hemantika Wahni, Adv.

Mr. Manu Nair, Adv. for
 M/s. Suresh A. Shroff & Co.

Haryana
 Mr. Kamal Mohan Gupta, Adv.

Arunachal Pradesh
 Mr. Ritu Raj, Adv.
 Mr. Anil Shrivastav, Adv.

Mr. S.C. Patel, Adv.

Assam
 Mr. Riku Sarma, Adv.
 Mr. Navnit Kumar, Adv. for
 M/s. Corporate Law Group

Punjab
 Mr. Ajay Kapur, Adv.
 Mr. Dinesh Kumar, Adv.
 Mr. H Singh Kohli, Adv. for
 Kuldip Singh, Adv.

Nagaland
 Ms. K. Enatoli, Sema, Adv.
 Mr. Amit Kumar Singh, Adv.

Manipur
 Mr. Khwairakpam Nobin Singh, Adv.
 Mr. Sapam Biswajit Meitei, Adv.

J&K
 Mr. Sunil Fernandes, Adv.

Ms. Insha Mir, Adv.
 Ms. Astha Sharma, Adv.
 Mr. Shashank Kr. Lal, Adv.

Rajasthan
 Dr. Manish Singhvi, Adv.
 Mr. Amit Lubhaya, Adv. for
 Mr. Irshad Ahmad, Adv.

Mr. S. Thananjayan, Adv.

Mr. G. Prakash, Adv.

Mr. Ajay Pal, Adv.

Mr. V..G. Pragasam, Adv.

Meghalaya
 Mr. Ranjan Mukherjee, Adv.
 Mr. S.C.Ghosh, Adv.
 Mr. S.Bhowmick, Adv.
 Mr. R.P.Yadav, Adv.

Chattisgarh
 Mr. Atul Jha, Adv.
 Mr. Sandeep Jha, Adv.
 Mr. D.K.Sinha, Adv.

Tripura
 Mr. Ritu Raj Biswas, Adv. for
 Mr. Gopal Singh, Adv.

Siikkim
 Mrs. Aruna Mathur, Adv.
 Mr. Yusuf Khan, Adv.
 Ms. Movita, Adv. for
 M/s. Aruputham, Aruna & Co.

.
 Mr R Gopalakrishnan, Adv.

Bihar
 Mr. Manish Kumar, Adv. for
 Mr. Gopal Singh, Adv.

Mr. Dharmendra Kumar Sinha, Adv.

Jharkhand
 Mr. Gopal Prasad, Adv.

Mr. B.S. Banthia, Adv.

Mr. Shibashish Misra, Adv.

Ms Kamini Jaiswal, Adv.

Mr. Naresh K. Sharma, Adv.

	Mrs. D. Bharathi Reddy, Adv.
	Mr. Balaji Srinivasan, Adv.
	Ms. Anitha Shenoy, Adv.
	Ms. A. Subhashini, Adv.
Maharashtra	Mr. Sanjay Kharde, Adv. for Ms. Asha Gopalan Nair, Adv.
Uttrakhand	Mr. Rahul Verma, Adv. for Ms. Rachana Srivastava, Adv.
	Mr. S.K. Sabharwal, Adv.
	Mr. Anis Ahmed Khan, Adv.
	Ms. Arti Singh, Adv.
Goa	Mr. Siddharth Bhatnagar, Adv. Mr. Pawan Kr. Bansal, Adv. for Mr. T. Mahipal, Adv.
	Mr. Shekhar G. Devasa, Adv. Mr. Nirnimesh Dube, Adv.
	Mr. C.K. Sucharita, Adv.
Rajasthan	Dr. Manish Singhvi, AAG. Mr. Amit Lubhaya, Adv. Mr. Irshad Ahmad, Adv.
Kerala	Mr. M.T. George, Adv. Ms. Kavita K.T., Adv.

UPON hearing counsel the Court made the following
O R D E R

I.A. No. 10 of 2012 in S.L.P. (C) No. 8519 of 2006:

We have heard Mr. Basavaprabhu S. Patil,
learned senior counsel for the applicant and Mr. M.T.
George, learned counsel for the State of Kerala.

2. Mr. M.T. George, learned counsel for the State of Kerala placed before us a copy of the order dated September 7, 2011 passed by the Government of Kerala granting permission for installation of statue of late Shri N. Sundaran Nadar, Ex-Deputy Speaker of Kerala Legislative Assembly near to Neyyattinkara - Poovar Road in the curve turning to the KSRTC Bus Stand Neyyattinkara in the Kanyakumari National Highway near bus stand.

3. We have our doubt whether such permission could have been granted by the State Government for installation of statue on the national highway.

4. Until further orders, we direct that the status-quo, as obtaining today, shall be maintained in all respects by all concerned with regard to the Triangle Island where statue of late Shri N. Sundaran Nadar has been permitted to be sanctioned. We further direct that henceforth, State Government shall not grant any permission for installation of any statue or

construction of any structure in public roads, pavements, sideways and other public utility places. Obviously, this order shall not apply to installation of high mast lights, street lights or construction relating to electrification, traffic, toll or for development and beautification of the streets, highways, roads etc. and relating to public utility and facilities.

5. The above order shall also apply to all other states and union territories. The concerned Chief Secretary/Administrator shall ensure compliance of the above order.

S.L.P. (C) No. 8519 of 2006:

Office has reported that states of Arunachal Pradesh, Nagaland, U.T. of Dadra & Nagar Haveli & Lakshadweep have not filed their respective affidavits so far. However, we find from the order dated July 27, 2010 that the states of Nagaland, Sikkim, Mizoram & Lakshadweep were exempted from

filing reply affidavits. Therefore, their affidavits are not necessary. However, the state of Arunachal Pradesh and Union Territory of Dadra & Nagar Haveli are directed to file their affidavits within four weeks.

List the Special Leave Petition along with the Writ Petition after four weeks.

[PARDEEP KUMAR]
COURT MASTER

[RENU DIWAN]
COURT MASTER