



புதுச்சேரி மாநில அரசிதழ்

La Gazette de L'État de Poudouchéry The Gazette of Puducherry

PART - I

சிறப்பு வெளியீடு

EXTRAORDINAIRE

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அதிகாரம் பெற்ற
வெளியீடு

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No.	Puducherry	Tuesday	3rd		December	2019

GOVERNMENT OF PUDUCHERRY

IN THE COURT OF SUBDIVISIONAL MAGISTRATE, KARAIKAL

M.C. No. 437/2019, dated 02-12-2019

Present : M. ADHARSH,
Subdivisional Magistrate, Karaikal.

PROHIBITORY ORDER

UNDER SECTION 144 OF Cr.P.C.

Whereas, the Hon'ble Supreme Court of India in its Order in a Special Leave petition to Appeal (Civil) No. 8519/2006, dated 12-01-2013, has directed 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".

2. Whereas, it has been made to appear to me by the report furnished by the Assistant Director (Survey and Land Records), Branch Survey Office, Karaikal that a statue has been installed in the land located at RS.No. 122/3 pt. of Neravy Revenue Village which is classified as a GP-Pathway in the revenue records. Further, a portion of the statue also falls in RS.No. 123/11 pt. for which no permission has been obtained from the authorities concerned.

3. Whereas, the Commissioner, Commune Panchayat, Neravy, has made it clear in his report that the Commune Panchayat "U" drain adjacent to the statue has been illegally closed without prior permission.

4. Whereas, the Superintendent of Police, Karaikal (South), has made it clear in his report that the installation of a statue in the land located at RS.No. 122/3 of Neravy Revenue Village would lead to competitive statue building which may lead to disturbance of public peace, tranquility and communal harmony.

5. Whereas, having considered all the information placed before this Court, I am fully satisfied that the situation prevailing in Neravy Revenue Village within the jurisdiction of this Court requires, invoking of provisions as contained under section 144 of Cr.P.C.

6. Now, therefore, in exercise of the powers as conferred on, by the provisions as contained under section 144 of Cr.P.C., I, M. Adharsh, Subdivisional Magistrate of Karaikal, make the following written orders for strict compliance by the general public that:-

(i) There shall be no activity involving installation, inauguration, construction and garlanding of any statue in public places situated in Neravy Commune Panchayat. Government functions, religious functions and other functions with the express approval of the Government shall be exempted from this clause.

(ii) There shall be no new construction of statues of National/Public Personalities in public or private places. In case of construction of statues in private places, prior approval of the District Magistrate has to be obtained.

(iii) There shall be no unlawful gathering of four or more persons in violation of this order in the area under the jurisdiction of this Court.

(iv) Any member of the public found to violate this order shall be punished under section 188 of IPC.

(v) This order comes into force with immediate effect.

As the Notice cannot be served individually on all concerned, the order is passed *ex parte*. This shall be published for the information of the public by affixing copies on the notice-board and all the offices located within the Neravy Commune Panchayat, including every public places.

Given under the seal of this Court on the 02nd day of December, 2019.

M. ADHARSH,
Subdivisional Magistrate, Karaikal.