

**DEVAN RAMACHANDRAN, J.**

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

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Dated this the 1<sup>st</sup> day of November, 2021

**ORDER**

Read order dated 12.10.2021.

2. Sri.S.Kannan - learned Senior Government Pleader, submitted that the Government is anxiously looking at the observations of this Court in the afore interim order, and that a comprehensive affidavit will be filed within a period of two weeks. He, however, added that the initial view of the Government is also that such installations will have to be dealt with as per law.

3. Though I propose to accede to the afore request of the learned Senior Government Pleader, I must remind the Government - as also the various political parties, who have already been brought on record - that even as we speak, political and other similar flag masts are being installed across the length and breadth of the State, without any respite. This culture of

putting up flag masts wherever, by influential political parties or such other association of people has now permeated into the society very deeply.

4. This is an extremely unfortunate situation and it prevents a complete breakdown of law, because there can be no doubt that any such installation can be made on any public space or road only after obtaining necessary permission from the Local Self Government Institution or such other competent Authority.

5. Not merely are flag posts erected, the persons who do so thereafter seem to think that they are in occupation and possession of the land on which it is, and boards and such other installations are also then made next to it or along with it; and this is demonstrably clear in almost every nook and corner of the State.

6. The issues involved are that would have ramifications across the State, and I am certain, therefore, that the affidavit to be filed by the

competent Authority will have to deal with the applicable legal provisions, since any decision that I take in this writ petition will certainly have to be guided by them.

7. Until 15.11.2021, when I will consider this case again, I order that no new flag masts and posts be permitted to be brought on to the roads and public spaces of the State without first obtaining permissions from the competent Authorities; and requisite steps for this purpose shall be ensured by respondents 8 and 9 strictly.

8. In the meanwhile, the competent Authorities, including respondents 8 and 9, will cause an audit and survey of the various illegal flag masts across the length and breadth of the State and information with respect to the same shall also be made available to this Court.

List on 15.11.2021.

sd/-  
**DEVAN RAMACHANDRAN**  
**JUDGE**

H/o  
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