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WP-6189-2024

IN THE HIGH COURT OF MADHYA PRADESH  
AT INDORE

BEFORE

HON'BLE SHRI JUSTICE VIVEK RUSIA

&

HON'BLE SHRI JUSTICE BINOD KUMAR DWIVEDI

ON THE 7<sup>th</sup> OF JULY, 2025

WRIT PETITION No. 6189 of 2024

***RAJESH KUMAR***

*Versus*

***THE STATE OF MADHYA PRADESH AND OTHERS***

.....  
Appearance:

*Shri Manish Yadav - Advocate for the petitioner.*

*Shri Anand Soni - Additional A.G. for respondent/State.*  
.....

**ORDER**

***Per. Justice Vivek Rusia***

The petitioner has filed this present petition under Article 226 of the Constitution of India in the nature of PIL alleging that within the limits of Nagar Parishad, Makdone, some of the group of persons are going to install a statue on public place, roads and crossings etc., which is not permissible.

2. The petitioner has filed a copy of resolution dated 29.11.2023 whereby such type of proposal has been kept in abeyance by the Nagar Parishad. Thereafter, no material has been brought on record to show that the Parishad has taken any decision to install statue of any of the person on public property.

3. Learned counsel for the petitioner has placed reliance on a judgment passed by Division Bench of this Court in the case of ***Greeshm Jain vs. The***



*State of Madhya Pradesh and Ors (W.P. No.24323 of 2019 (PIL))* whereby following directions have been issued by this Court.

*"(i) Writ of mandamus is issued directing the respondents including Municipal Corporation, Bhopal to forthwith remove the statue of Late Shri Arjun Singh, former Chief Minister of the State of Madhya Pradesh from Major Nanke Petrol Pump Tri-junction (Link Road No.1, T-T. Nagar, Bhopal) including platform.*

*(ii) Respondent No.1 is further directed by a writ of mandamus to remove all statues erected on public roads, pavements, sideways and any other public utility place at any village, town or city situated within the State of MP, which had been erected on or after 18.01.2013 (the date of restraint order passed by the Apex Court in SLP (C) 8519/2006 (Union of India VS. State of Gujrat and others).*

*(iii) Respondents are henceforth restrained by way of writ of prohibition from installing any statue on public roads, pavements, sideways and any other public utility place situated in any village, town or city within the State of MP.*

*(iv) Since the petitioner has brought a genuine public cause before this Court, he is entitled to cost of this litigation while respondents who have acted unlawfully and in an irresponsible manner defying the restraint order of the Apex Court, the respondents are liable to be saddled with exemplary cost.*

*v) Thus, cost of Rs.30,000/- is imposed on the respondents No.1 to 4 to be paid in equal proportion by each one of them, out of which Rs.10,000/- shall be paid to petitioner by depositing the same in the bank account of petitioner through digital transfer within a period of 30 days from today, while the remaining Rs.20,000/- shall be deposited with the High Court Legal Aid Committee, Jabalpur, for wasting the precious time of this Court in dealing with this avoidable piece of litigation.*

*(vi) The aforesaid cost be deposited within a period of 30 days from today, failing which the matter be listed under the caption of "Direction" as PUD for execution qua cost".*

4. If this order has not been challenged by the State before the Supreme Court, then the aforesaid directions are binding on the State Government. Therefore, the Chief Secretary of the State of Madhya Pradesh is directed to circulate copy of order passed in the case of ***Greeshm Jain vs.***



*The State of Madhya Pradesh and Ors* to all the Municipal Corporations, Municipal Councils, Nagar Parishad, Gram Panchayat etc., so that the violation/ contempt of the said order can be avoided. Apart from government and local bodies no group of person, Associations, NGO, religion are authorized to install statues at public place.

5. In view of above, present petition is disposed of. No order as to costs.

(VIVEK RUSIA)  
JUDGE

(BINOD KUMAR DWIVEDI)  
JUDGE

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