

Haven't slept since then: One month on, how Mugilan's disappearance has affected TN's activists

His fellow activists, SP Udayakumaran and Henri Tiphagne speak about their friend, his disappearance and the theories that surround it

Activist

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Johanna Deeksha



Mugilan has been missing for 31 days and the police don't have the slightest clue about his whereabouts

RS **Mugilan** apparently never travelled even in the second class compartments of a train. In a conversation with Henri Tiphagne, one of TN's most popular human rights lawyers and an **activist** himself, Mugilan had once said that he always preferred to sit in the unreserved compartment. He believed that if anyone were to ever attack him, it would be the people in the unreserved compartments that would protect him.

On February 15, 2019 Mugilan, may or may not have gotten into a train but we know that there was *no one* to protect him.

It has been exactly 30 days since Mugilan disappeared. In a time when we have CCTV cameras, phone cameras, social media, the obvious question is how did a 52-year-old man disappear after giving a high profile press conference and releasing a documentary that would have damaged Sterlite, one of the biggest corporations in the world?

In a recent interview, Mugilan's wife, CP Poongodi said that she hoped that her husband would at least return after the elections are over. But there is an uneasy feeling that many of his friends and colleagues have — that he may never return.

We spoke to two of his very good friends and colleagues in the world of activism — SP Udayakumaran, convenor of the People's Movement Against Nuclear Energy and Henri Tiphagne, executive director at People's Watch. The two met Mugilan around the same time, in the early years of this decade, on the ground that holds the Kudankulam Nuclear Power Plant — Idinthakarai.



Long standing companion: RS Mugilan with SP Udayakumar in a picture from a few years ago

Always a fighter, never a hider

Udayakumaran spent about two-and-a-half years with Mugilan between 2011 and 2014 in Idinthakarai protesting against the Koodankulam Nuclear Power Project. Udayakumaran said they spent every single day together, "We worked together, campaigned together, ate together, he even slept on the bed beside me," he

recalled. Mugilan had made his mark as a front line activist by then. After completing his diploma in civil engineering, Mugilan landed a job with the PWD but quit it to join the farmer's struggle in his hometown of Erode. Slowly, he began to join other **protests** and became a familiar face.

When asked to speak about Mugilan, the first thing that Tiphagne says is that he's proud of him. "I want to pay tribute to his unique quality of participating in all kinds of civil liberty protests. He didn't have to be a leader, he would engage in any struggle for the people. He led by example, he believed that legal justice was important but he kept democracy alive by taking to the streets," the lawyer said.



For Humanity: Henri Tiphagne at a solidarity meeting conducted for Mugilan after his disappearance. He has been at the forefront of the protests demanding his return

The last call

Udayakumaran last met Mugilan about two months before he went missing. They met at a friend's son's wedding in Thoothukudi and the last time they spoke was on February 13. "I had called to invite him for a public meeting in Tirunelveli. But he couldn't hear me too well because he was on a bike so he told me he would call me back," the activist said.

He never did.

The last time that Tiphagne spoke to Mugilan was on the evening of February 15. He had called to congratulate him after his successful press conference. "I had put together a 23 member committee to investigate the Thoothukudi shooting but we weren't able to find the things that he had. So I had called him to congratulate him and tell him how proud I was," he said.

When news broke that Mugilan had gone missing, like many others, Udayakumaran also thought that the police had arrested him. "My first theory was that the police had arrested him and taken him underground. But when there was sign of him after several days, I began to believe that maybe a paid mercenary had kidnapped him and maybe done something to him," he said. Tiphagne also believes that people in power have a hand in his going missing.

But they both dismiss the other rumour that is making the rounds — that he disappeared to escape from his personal problems.

They both agree that the theory doesn't make any sense at all.



The last meet: SP Udayakumaran and Mugilan at a wedding. The last time the two met was at another wedding in Thoothukudi

Rumour doesn't have it

The leading theory being floated by people who barely know him is that he's hiding away because of personal problems. Why would someone who put so many years of hard work into their career, give it all up and run away from personal problems? "In all the years that I spent with him, never once did he show in anyway that he was a coward. He had a stellar personality and never ran away from a challenge. It makes no sense that he would go underground," Udayakumaran said. He is someone who has put so many years into working for movements that have challenged the most powerful people," the activist added, "He had several reasons in the past to go underground but he never did it. Why would he choose to do it now? And for a personal problem? I've never known him to be that sort of person."

Tiphagne recalls a time when Mugilan was in jail and he was trying to get him out on bail. Mugilan apparently refused saying that he would rather stay inside and get the case sorted out, "Why would a man like that who didn't mind staying in jail and refused bail despite being in the right, want to go underground? He could have

chosen to go underground then, but refused. He loved his family and his family loved him back, I've know that through my close association with them all these years," he explained.

Udayakumaran's convictions run deeper, "When you spend 24 hours of every single day with the same person for two and half years, you really get to know them. You can hide your weaknesses but it always comes out in the way that you behave. I'm sure he may have had failings but he was a good person. And he would never abandon his family," Udayakumaran added.

Both the men agree that Mugilan was, above all else, a courageous man. A man who was committed to the cause, a man who didn't care for name or fame, a sincere and generous man, a methodical man who took a lot of notes, a man who put his heart and soul into learning everything about an issue and did everything in his power to do the right thing.

It simply did not make sense that he would hide anything, let alone run away from it.



For the people: Mugilan has been part of several causes over the last decade, some he has led, some he has stood in solidarity

So what has happened to Mugilan?

Mugilan had found evidence of paid mercenaries who were behind the stone pelting and the arson that led to the Thoothukudi police firing and ensuing violence. This would have definitely instigated the people implicated, Udayakumaran feels. "What happened on May 22 was a planned, pre-meditated murder. It was done to get rid of activists. The disappearance of Mugilan seems like another threat to the activist community," Udayakumaran explained.

The murders of Gauri Lankesh, Kalburgi and others was one type of silencing. This is another, he feels.

"This is going to discourage peaceful assembly. Already a lot of people are refusing to come out and protest, this has made it worse. The intimidation and the coercion has worked," Tiphange said.

Both the activists feel that Sterlite has a hand in Mugilan's disappearance and the fear they they might not see him again is there. "But we hope that nothing has happened," Udayakumaran said hopefully.



Law in Hand: Mugilan with the police during a protest. Initially people believed the police had arrested him for his press conference on Sterlite

The judiciary, the police and the silent CM

Udayakumaran says that postponing a *habeas corpus* when it is a matter of life and death is unheard of in the judiciary. "This is not a civil matter that it can get be postponed to 14 days. I also believe that if the police wants to they can solve this case overnight," Udayakumaran said. Are we living in a jungle or are we after a guerrilla group, he questions, "How is it that they've still not found him?"

Udayakumaran is not satisfied with the Tamil Nadu police effort towards finding Mugilan. He thinks that just like May 22, this time too, the police and the hooligans are hand in glove.

Tiphagne, who has filed a case in the Madras High Court, is a little more positive about the police, "They will be presenting a report on March 18 and I do think that they have been putting in too much of an effort. They have interrogated 145 witnesses in the case." This was however, not the case in the beginning. Sudha

Ramalingam, the advocate in the case also said that the police were asking all the wrong questions. "They asked me why my name is Tiphagne and they asked Sudha (Ramalingam) why she was taking up the case for free," the lawyer said.

He also feels the judiciary is doing its job but he is disappointed that the judiciary is not angry. "Only anger can lead to passionate and creative justice. I hope they become more angry by what's happened, only then will they take decisions that will help the case" the human rights lawyer feels.

The one person that Tiphagne does have an issue with is the Chief Minister. He was upset that at a recent conference, when the CM was asked about Mugilan he barely gave a response. "The way he answered the question only makes me feel that the government and our politicians also have a hand in his disappearance," he added.

There are 14,500 CCTV cameras installed in the city, aided by the Nirbhaya Fund. "The way that the case is going it makes me wonder if the cameras are for investigation or just surveillance. It took them so long to figure out whether Mugilan entered the station or left it. Only now they've found that Mugilan re-entered the station through a smaller gate elsewhere," Tiphagne said. He also pointed out that Mugilan was active on Facebook till about 1.15 am that night. "A person who is kidnapped usually makes sure that they get rid of the mobile as soon as possible but here he had access. Everything about the situation is dodgy," he explained.



With the future: Mugilan gave up a well paying job to take up the cause of the people and those very people eagerly await his return

A warning to the world of activism?

It can never be easy to see a colleague disappear into thin air and feel completely helpless about it. But it isn't just the activists who have to battle the threats and the mental trauma, it's the people around them too who suffer almost equally.

Ever since Mugilan's disappearance, Udayakumaran's friends and family have been begging him to not travel alone.

He still does.

"Whether it is Sterlite, May 22, hydrocarbon, the Salem expressway, people are always going to be on the streets. I will be too. Our work is to serve the public and so that is what we'll do. We cannot let the fascists win," he says. But the feeling of helplessness doesn't go away, "It's like choosing to remain in an abusive marriage. We are resigned to our fate. But we will continue to agitate," he added.

Even if he is out there travelling alone, his wife stays in contact whenever she can. "When I leave, when I board a train, when I get down, every single time my wife calls me these days," he says.

It isn't much different for Tiphagne. Fear is not something new, it set in a long time ago. Even before the present government took charge. But Mugilan's disappearance has left him shaken too. "I'm a heart patient and from the day I filed the petition, I have not slept. Not a single night. I keep having dreams and Mugilan is in them. My wife also knows I never sleep and this is not good for a heart patient. But if it is this bad for me I cannot even imagine what it might feel like for his wife and son. They are such selfless people," Tiphange said.

In his final press conference, Mugilan promised the people of Thoothukudi that they will find justice and till they find it, he said he would strive for it. "Vaaimai than vellum, vaaimai matum than vellum (Truth will win and only truth will win)," he said. The people of Thoothukudi and the state wait for him, hoping that what he said was true.

That fate is on his side and on the side of justice and democracy.

<https://www.edexlive.com/people/2019/mar/17/havent-slept-since-then-one-month-on-how-mugilans-disappearance-has-affected-tns-activists-5536.html>