

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE THE CHIEF JUSTICE MR.ASHOK BHUSHAN

&

THE HONOURABLE MR.JUSTICE A.M.SHAFFIQUE

THURSDAY, THE 19TH DAY OF NOVEMBER 2015/28TH KARTHIKA, 1937

WP(C).No. 35031 of 2015 (S)

PETITIONER :

**ADV. VENJARAMOOD M.ZIYAD, AGED 40 YEARS,
S/O.MR.MUHAMMED KASIM, VADAKKATHIL VEEDU,
VENJARAMOODU.P.O., VENJARAMOOD,
THIRUVANANTHAPURAM DISTRICT.**

**BY ADVS.SRI.SREEKANTH S.NAIR
SRI.S.JATHIN DAS**

RESPONDENT :

**UNION OF INDIA, REP. BY THE CABINET SECRETARY,
HOME DEPARTMENT, GOVERNMENT OF INDIA,
NEW DELHI-110 004**

**BY SRI.N.NAGARESH, ASSISTANT SOLICITOR GENERAL
ADV. SRI.JAISHANKAR V.NAIR, CGC**

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 19-11-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

sts

APPENDIX

PETITIONER'S EXHIBITS:

- P1 COPY OF THE REPRESENTATION MADE BY THE PETITIONER TO THE HON'BLE PRESIDENT OF INDIA DATED 11/03/2015**
- P2 COPY OF THE REPRESENTATION MADE BY THE PETITIONER TO THE HON'BLE PRIME MINISTER OF INDIA DATED 11/03/2015**
- P3 COPY OF THE REPRESENTATION MADE BY THE PETITIONER TO THE LEADER OF OPPOSITION RAJYASABHA DATED 11/03/2015**
- P4 COPY OF THE REPRESENTATION MADE BY THE PETITIONER TO THE CABINET SECRETARY, GOVT OF INDIA DATED 11/03/2015**
- P5 COPY OF THE RTI APPLICATION MADE BY THE PETITIONER O PIO, HIGH COURT OF KERALA DATED 19/08/2015**
- P6 COPY OF THE INFORMATION RECEIVED BY THE PETITIONER FROM PUBLIC INFORMATION OFFICER, HIGH COURT OF KERALA DATED 11/09/2015**

RESPONDENT'S EXHIBITS: NIL

/TRUE COPY/

P.A.TO JUDGE

sts

**ASHOK BHUSHAN, C.J &
A.M. SHAFFIQUE, J.**

W.P.(C) No.35031 of 2015

Dated this the 19th day of November 2015

J U D G M E N T

Shaffique, J.

The petitioner, who is a practising lawyer has approached this Court with this public interest litigation seeking for the following reliefs :-

- “(i) issue a writ of mandamus or other appropriate writ, order or direction that Mohandas Karamchand Gandhi, popularly known and called as 'Mahatma Gandhi', shall be officially declared as 'Father of Nation', or, if this Hon'ble Court finds it inappropriate to allow the said prayer for whatsoever reason it may find fit and proper, in the alternative, without prejudice to the above, issue a direction to the respondents to desist from using such expression in any communications or advertisements which is made under the patronage of State as defined in Article 12 of the Constitution or spending out of the consolidated fund of Union of India for any such activity, which includes the making and display of photographs in Government offices without any legal sanctity or authority;
- (ii) issue a writ of mandamus or other appropriate writ, order or direction directing the respondents to consider and dispose Exhibits P1 to P4 representations within such time as stipulated by this Hon'ble Court.”

The relief sought for is absolutely unnecessary as no one has any doubt that Mahatma Gandhi is not the Father of the Nation and hence, no such declaration is required at all.

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2. This writ petition is filed for the reasons best known to the petitioner and the alternative relief sought for is mischievous in nature. We do not think that this writ petition can be entertained as a public interest litigation.

Accordingly, the same is dismissed.

Sd/-
ASHOK BHUSHAN
CHIEF JUSTICE

Sd/-
A.M. SHAFFIQUE
JUDGE

Jvt/19.11.2015.