

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 10.02.2015

CORAM

THE HON'BLE MR.SANJAY KISHAN KAUL, CHIEF JUSTICE
and
THE HON'BLE MR.JUSTICE M.M.SUNDRESH

W.P.No.31411 of 2014

and

M.P.Nos.1 and 2 of 2014

Thamizh Thattha Vu.Ve.Saminatha Iyer
Narpani Mandram, rep. by its President
S.Dennis,
No.T-7, Ruby Manor Apartments,
No.108/203-A, Velachery Main Road,
Selaiyur, Chennai-600 073. .. Petitioner

vs

1.The State of Tamil Nadu,
rep. by its Secretary to Government,
Education Department,
Fort St. George,
Chennai-600 009.

2.The State of Tamil Nadu,
rep. by its Secretary to Government,
Health Department,
Fort St. George,
Chennai-600 009.

3.The Director of School Education,
College Road,
Chennai-600 006.

4.The Director,
Directorate of Government Examination,
Chennai-600 006.

5.The Dean,
Meenakshi Medical College,
Enathur, Kancheepuram District.

6.A.Karuppuswamy,
Joint Director (P) DSE,
D.P.I. Campus,
College Road, Chennai-600 006.

7.The Additional Director General of Police,
C.B., C.I.D.,
Office of the Additional Director General of Police,
Egmore, Chennai-600 008.

8.The Inspector of Police,
Madurantakkam Police Station,
Madurantakkam,
Kancheepuram District.

9.R.Abisha ... Respondents

Writ petition filed under Article 226 of the Constitution of India praying for issuance of a writ of mandamus directing the respondents 1 to 5 to act on the complaint/representation of the petitioner dated 16.7.2014 and take appropriate action against the 6th respondent A.Karuppuswamy and the 9th respondent R.Abisha and other delinquent officials connected therewith.

For Petitioner ... Mr.B.K.Singh

For Respondents ... Mr.D.Krishnakumar,
Spl. G.P.(Edun) for R1 to R4

Mr.V.R.Kamalathan
Addl. G.P. for R7 & R8

Mr.V.Jayaprakash Narayanan
Spl. G.P. for R6

No Appearance for R5 and R9

O R D E R

(Order of the Court was made by The Hon'ble Chief Justice)

The petition, styled as a Public Interest Litigation, seeks action against the respondents 6 and 9 on the allegation that respondent No.9 was able to enroll as student by impersonation in the examination, in which 6th respondent has colluded.

2. We fail to appreciate what is the public interest in this. If there has been impersonation, a criminal offence has been

committed. The petitioner is not a competitor of rights vis-a-vis respondent No.9. On our query, learned counsel for the petitioner informs us that even the jurisdiction of Criminal Court was invoked, but the complaint has been dismissed. In such situation, the petitioner can hardly now take recourse to Public Interest Litigation to get over the dismissal of the criminal complaint.

3. We find no merit whatsoever in this petition for treating it as a Public Interest Litigation.

4. Writ Petition is dismissed. No costs. Consequently, M.P.Nos.1 and 2 of 2014 are closed.

Sd/-
Asst.Registrar (CO)

/true copy/

Sub Asst. Registrar

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To

- 1.The Secretary to Government,
Education Department,
Fort St. George,
Chennai-600 009.
- 2.The Secretary to Government,
Health Department,
Fort St. George,
Chennai-600 009.
- 3.The Director of School Education,
College Road,
Chennai-600 006.
- 4.The Director,
Directorate of Government Examination,
Chennai-600 006.
- 5.A.Karuppuswamy,
Joint Director (P) DSE,
D.P.I. Campus,
College Road, Chennai-600 006.

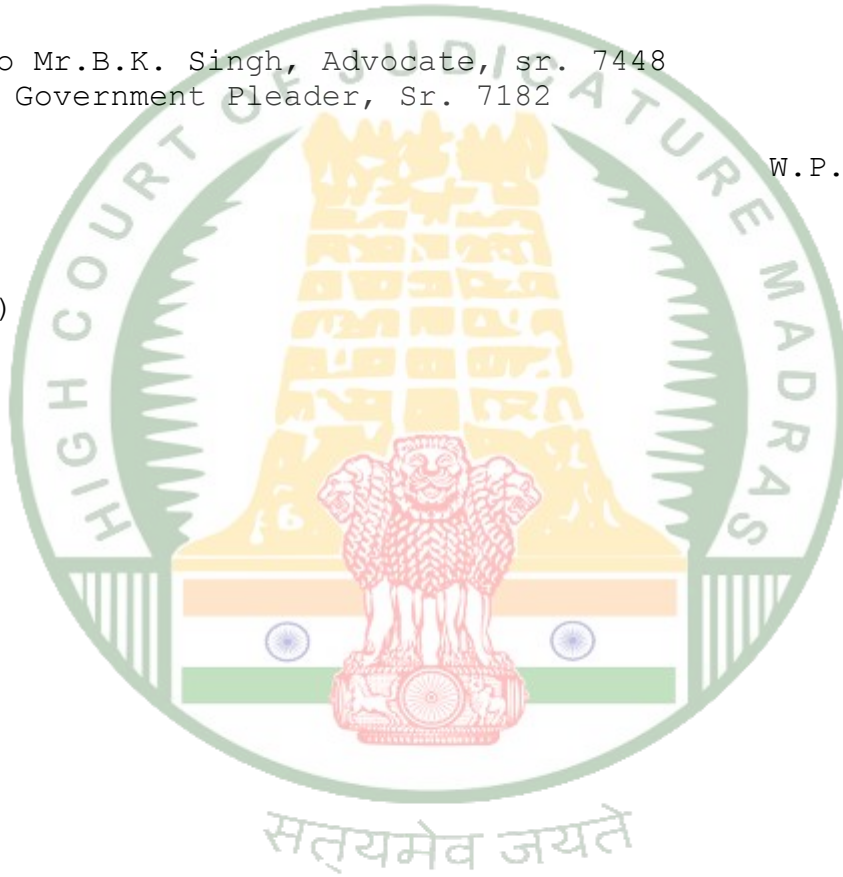
6.The Additional Director General of Police,
C.B., C.I.D.,
Office of the Additional Director General of Police,
Egmore, Chennai-600 008.

7.The Inspector of Police,
Madurantakkam Police Station,
Madurantakkam,
Kancheepuram District.

2 ccs to Mr.B.K. Singh, Advocate, sr. 7448
1 cc to Government Pleader, Sr. 7182

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CNR (CO)
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