

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated: 18.06.2015

Coram:

The Honourable Mr.SANJAY KISHAN KAUL, CHIEF JUSTICE
and
The Honourable Mrs.Justice PUSHPA SATHYANARAYANA

W.P.No.17224 of 2015

S.Marimuthu

...Petitioner

versus

1.The Chief Director
Central Bureau of Investigation
Plot No.5-B, CGO Complex, Lodhi Road,
New Delhi 110 003.

2.The Chief Commissioner
Central Vigilance Commission
New Delhi 110003.

3The Chairman
Railway Board of India,
New Delhi 110001.

4.Joint Director and Head of Zone
Central Bureau of Investigation
III Floor, EVK Sampath Building
College Road.

5.The General Manager,
Southern Railway, Chennai 600003.

6.The Chief Works Manager
Perambur Loco Works
Chennai 600023.

7.The Inspector of Railway Police Force (RPF),
Perambur Loco Works
Chennai 600023.

8.Kanniah and General Secretary,
Southern Railway Masdoor Union
Chennai 600003.

9.The Home Secretary
Fort St. George, Chennai -9.

10.The Commissioner of Police
Vepery, Chennai 7.

11. The Inspector of Police
K-7 Police Station,
Chennai 38.

...Respondents

Petition filed under Article 226 of the Constitution of India praying for the issue of a writ of Mandamus, directing the first respondent to enquire the affidavit as well as the petitioner's petition dated 18.05.2015 and take appropriate action after submitted the report as per law, consequently the respondent No.9 to take legal action against the respondent No.10 not to take any action to arrest till date the accused of Kanthuvatti People and impose to the respondent No.10 for arrest the accused of Kanthuvatti people based on S.Chand Basha suicide letter dated 28.04.201.

For Petitioner : Mr.S.Marimuthu (Party-in-person)

For Respondents : Mr.P.T.Ramkumar
Standing Counsel for Railways
for R.3, R.5 to R.7.

O R D E R

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

There are broadly two grievances made by the petitioner in this Public Interest Litigation. First and the large material pertains to an alleged suicide committed by one S.Chand Basha, for which the petitioner wants investigation. Both are employed with the Railways. The second is a grievance against the SRMU General Secretary of the Railways.

2. The subject matter shows that it is really in the nature of some personal angst rather than a public issue. If the investigation has to be conducted in a case of suicide, the police will do that. Similarly, if a person is an elected representative, then he cannot be unseated by the PIL. Not only that, the allegations about the

alleged "Kandhu Vatti" business is also not supported by any material, which the petitioner himself admits.

3. We are of the view that the petitioner, if he is so desirous, can pursue appropriate remedies in respect of the grievances separately and everything cannot be clubbed to create a Public Interest Litigation.

4. The writ petition accordingly stands dismissed with the aforesaid liberty. No costs.

Sd/-

Assistant Registrar (CS-IV)

//True Copy//

Sub Assistant Registrar

ksr

To

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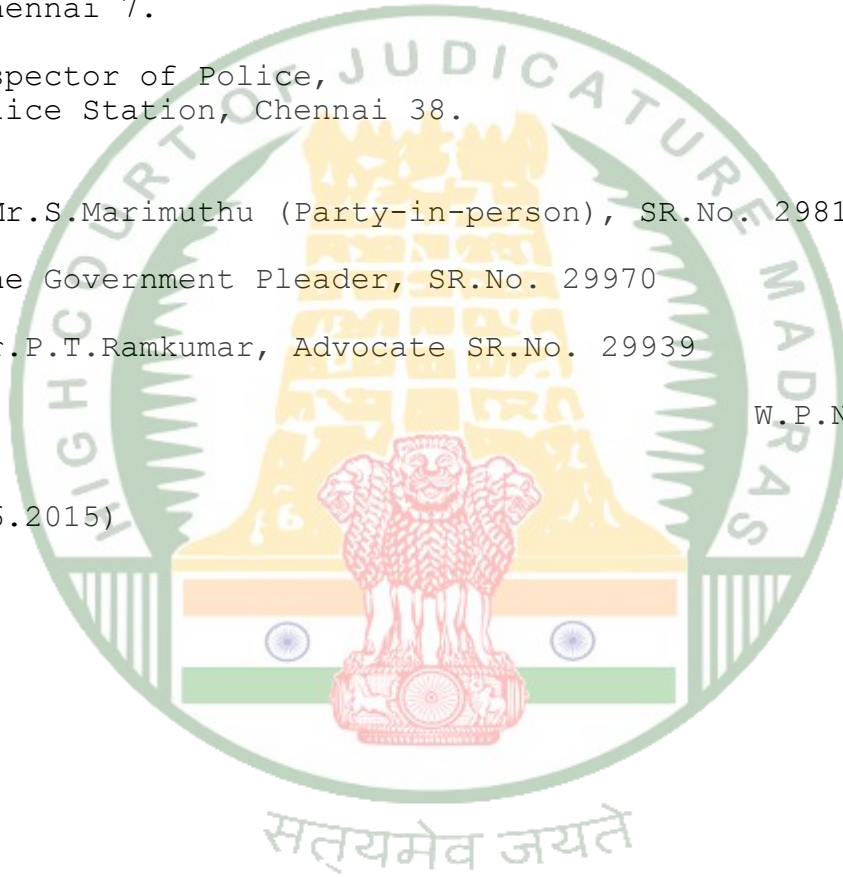
2 CCs to Mr.S.Marimuthu (Party-in-person), SR.No. 29811

1 CC to the Government Pleader, SR.No. 29970

1 CC to Mr.P.T.Ramkumar, Advocate SR.No. 29939

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NM (CO)
PSI (23.06.2015)



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