



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 12/6/2015

C O R A M

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THE HONOURABLE MR.SANJAY KISHAN KAUL,THE CHIEF JUSTICE
AND
THE HONOURABLE MR.JUSTICE S.MANIKUMAR

Writ Petition (MD) No.3037 of 2015
and MP(MD)NO.1 TO 3 OF 2015

A. Kannan ... Petitioner

Vs

1. The Chief Secretary
to the Government of Tamil Nadu
Secretariat
Chennai 600 009.
2. The Secretary to Government of Tamil Nadu
Public Department
Secretariat
Chennai 600 009.
3. The Secretary to Government of Tamil Nadu
Home Department
Secretariat
Chennai 600 009.
4. The Secretary to Government of Tamil Nadu
Revenue Department
Secretariat
Chennai 600 009.
5. The Secretary to Government of Tamil Nadu
Co-operation & Food and Consumer
Protection Department
Secretariat
Chennai 600 009.
6. The Director General of Police
Mylapore
Chennai 600 004.
7. The Secretary to Government of Tamil Nadu
Commercial Taxes and Registration Department
Secretariat
Chennai 600 009.
8. The Director of Vigilance and Anticorruption
P.S.Kumarasamy Raja Salai
(Greenways Road)
Raja Annamalaipuram



Chennai 600 028.

9. The Joint Director
Central Bureau of Investigation
South Zone
III Floor
Shastri Bhavan
No 26 Haddows Road
Nungambakkam
Chennai 600 006.

10. Thiru.D.Mohan
Joint State Protocol Officer/
Reception Officer
Tamil Nadu State Guest House
Chepauk
Chennai 600 005.

11. Mr.Balaji Saravanan
Additional Deputy Superintendent of Police
O/o. S.P.CBCID
91-H Veethikadu
Perumanallur
Coimbatore 641 666.

12. Mr.Aravind
Additional Deputy Superintendent of Police
No.10 Teacher's Colony
Allasamudram
Namakkal 637 503.

13. Mr.Kumaravel Pandian
DRO/GM
Margandapuram
Kuthampundi Village & Post
Ottanchatram Taluk
Dindigul 624 616.

14. Mrs.Palaneeswari
Deputy Registrar of Co-operative Societies
No.31 Swamy Naicken Street
Chinthathiripet
Chennai 600 002.

15. Thiru.K.Balasubramaniam
District Revenue Officer
C/o. Secretary to Government
Revenue Department
Chennai 600 009.

16. Mrs.Palaneeswari
Deputy Registrar of Co-operative Societies
C/o.Secretary to Government



Food Co-operation & Consumer
Protection Department
Chennai 600 009.

17. T. Vanitha

Deputy Registrar of Co-operative Societies
C/o. Secretary to Government
Food Co-operation & Consumer Protection Department
Chennai 600 009.

18. D. Ravichandran

District Revenue Officer
C/o. Secretary to Government
Revenue Department
Chennai 600 009.

19. S. Maheswaran

Additional Deputy Superintendent of Police
C/o. Director General of Police
Chennai 600 004.

20. K. Shanmugam

Additional Deputy Superintendent of Police
C/o. Director General of Police
Chennai 600 004.

21. Sumathi

Deputy Commissioner of Commercial Taxes
Commercial Taxes & Registration Department
Chennai 600 009.

22. B. Subhashini

Assistant Commissioner of Commercial Taxes
C/o. Secretary to Government
Commercial Taxes & Registration Department
Chennai 600 009.

23. K. Suganthi

Deputy Commissioner of Commercial Taxes
C/o. Secretary to Government
Commercial Taxes & Registration Department
Chennai 600 009.

24. M. Thangavel

District Revenue Officer
C/o. Secretary to Government
Revenue Department
Chennai 600 009.

25. Vijayarani

<https://hcservices.ecourts.gov.in/hcservices/>
Joint Commissioner of Land Administration
Chepauk
Chennai 600 005.



26. Elanselvi
Deputy Registrar of Co-operative Societies
C/o. Secretary to Government
Food Co-operation & Consumer
Protection Department
Chennai 600 009.
27. G. Chithirapavai
Deputy Registrar of Co-operative Societies
C/o. Secretary to Government
Food Co-operation & Consumer Protection Department
Chennai 600 009.
28. K. Stalin
Additional Deputy Superintendent of Police
C/o. Director General of Police
Chennai 600 004.
29. M. Dhanalakshmi
Deputy Registrar of Co-operative Societies
C/o. Secretary to Government
Food Co-operation & Consumer
Protection Department
Chennai 600 009.
30. G. Stalin
Additional Deputy Superintendent of Police
C/o. Director General of Police
Chennai 600 004.
31. B. Ganesan
District Revenue Officer
C/o. Secretary to Government
Revenue Department
Chennai 600 009. ... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India praying for the issuance of a writ of mandamus to direct the respondents 1 to 7 herein to initiate appropriate actions in accordance with law and rules against respondents 10 to 31 and other delinquent officials based on the Government records which was supplied to the petitioner herein and was sent to the respondents herein on 11/2/2015 within a time frame fixed by this Court and consequently to place the respondents 10 to 31 under suspension forthwith pending completion of the departmental action and further order a judicial enquiry to enquire into the allegations levelled against the other remaining out of the 65 Group - I officers selected for the year 2000 - 2001 and at present working in the State of Tamil Nadu who had made false entries as to their purpose of visit in the Tamil Nadu State Guest House, New Delhi and gained undue pecuniary advantage by illegally staying there between the period from 4/3/2011 to 25/11/2014.



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For petitioner
For respondents

... Mr.W.Peter Rameshkumar
... Mr.K.K.Chellapandian, AAG
assisted by Mr.Rajakarthikeyan
for R.R.1 to 8.
Mr.S.Jayakumaran
for R.9.
Mr.K.K.Senthilvelan
for R.R.11, 22 and 30.
Mr.Lajapathi Roy
for R.R.13, 23 and 28.
Mr.E.K.Kumaresan
for R.12, 26, 27
Mr.S.Arun Kumar for R.19

Mr.A.Ganapathy Raman for R.25

O R D E R

[Order of the Court was made by
The Honourable the Chief Justice]

The petitioner, an Advocate, who has nothing to do directly in the lis in question about the appointment of the private respondents, seeks to raise the issue that these private respondents were staying in the Tamil Nadu Guest House, on a concessional rate being Government Officers, even though the Supreme Court opined against them and upheld the view of this Court by dismissing C.A.No.5877-78 of 2014. The petitioner prays that these private respondents should be placed under suspension forthwith, judicial enquiry to be held in respect of allegations made against them and for the State of Tamil Nadu which made false entries for their purpose of their visit in the State Guest House.

2. In the counter affidavit filed by the 30th respondent, inter alia, it has been pointed out that review petitions have been filed, wherein the Honourable Supreme Court was pleased to issue notice and interim orders had been granted, directing status-quo to be maintained.

3. The petitioner had never assailed the appointment of these officers, but subsequent to the judgment of the Honorable Supreme court and notices being issued in there view petitions, the petitioner and three other persons have sought to intervene in the legal battle, by moving an application before the Honourable Supreme Court. In fact, no notice is stated to have been issued by the Honourable Supreme Court in that application.

4. We find the present writ petition is completely misconceived. The question of taking any action would have arisen under the judgment of this Court and the honorable Supreme Court, if the honorable Supreme Court had not granted interim orders directing status quo to be maintained. Once that order is granted, it is not open to anyone to plead on the basis of the orders passed by this Court or by the honorable Supreme Court under Review and that too a third party and claim relief under the garb of public interest litigation.



5. In fact, the petitioner is quite aware of the Supreme Court proceedings as he is one of the persons, who moved an application seeking intervention in the matter in which notices have also not been issued. The endeavour by the Public Interest Litigation is to really overreach the orders of the Honourable Supreme Court already operating.

7. Accordingly we dismiss the writ petition. No costs. Connected M.P(MD)Nos.1,2,3 of 2015 are closed.

SD

ASST REGISTRAR (CO)

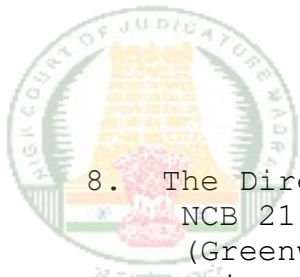
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SUB ASST REGISTRAR

mvs.

To

1. The Chief Secretary
to the Government of Tamil Nadu
Secretariat
Chennai 600 009.
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Public Department
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8. The Director of Vigilance and Anticorruption
NCB 21 - 28 P.S.Kumarasamy Raja Salai
(Greenways Road)
Raja Annamalaipuram
Chennai 600 028.

9. The Joint Director
Central Bureau of Investigation
South Zone
III Floor
Shastri Bhavan
No 26 Haddows Road
Nungambakkam
Chennai 600 006.

2CC TO MR. W. PETER RAMESH KUMAR, ADV., SR: 30535
1CC TO MR. S.ARUN KUMAR ADV. SR: 30731
3CC TO MR. KK.SENTHILVELAN, ADV., SR: 30766 30804 30855
1CC TO MR. T. LAJAPATHI ROY ADV.SR: 30778
1CC TO MR. S.A. GANAPATHY RAMAN, ADV., 30836
1CC TO THE SPL. GOVT PLEADER, 31228

DM 24 JUNE 15

W.P.(MD) No.3037 of 2015
12/6/2015

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