

HIGH COURT OF CHHATTISGARH, BILASPUR**Writ Petition (PIL) No. 87 of 2017**

- Mahesh Dubey S/o Late Lalmani Dubey, Aged About 47 Years R/o Mohalla Gondpara, Thana Civil Lines, Tahsil And District Bilaspur (Chhattisgarh).

---- Petitioner**Versus**

1. State of Chhattisgarh Through The Secretary Department Of Urban Development Mantralaya Mahanadi Bhawan New Raipur District Raipur (Chhattisgarh).
2. The Collector, Collectorate Bilaspur Thana And District Bilaspur (Chhattisgarh).
3. The Municipal Coropration Bilaspur, Through The Commissioner Municipal Corporation Bilaspur, District Bilaspur (Chhattisgarh).
4. The Chhattisgarh Environment Conservation Board, Through the Regional Officer, Near Pt. Deendayal Garden, Vyapar Vihar, Tahsil And District Bilaspur (Chhattisgarh).

---- Respondents

For Petitioner	: Shri N.K. Malaviya, Advocate
For Respondents/State	: Shri Avinash Singh, Panel Lawyer
For Respondent No.3 /Corporation	: Ms. Pushpa Dwivedi, Advocate appears on behalf of Shri A.S. Kachhawaha, Advocate

Hon'ble Thottathil B. Radhakrishnan, Chief Justice**Hon'ble Shri Justice Sharad Kumar Gupta****Order on Board****Per Thottathil B. Radhakrishnan, Chief Justice****11.07.2017**

1. Heard the learned for the petitioner and the learned Advocates for respondents 1 to 3.
2. Through this writ petition filed as a Public Interest Litigation, the petitioner seeks certain directions from this Court under Article 226 of the Constitution of India. The primary relief that he seeks is for a direction to shift the proposed sewage pumping station from Bilaspur. He has pleaded in the writ petition that the Sewage Treatment Plant cannot be had in the

proposed site. We asked the petitioner's learned Counsel as to what is the petitioner. He does not appear to have any ability to commend on matters relating to policy of governance, either of the local self-government institutions or on any matter relating to the management of sewage or sewage treatment. He does not state or show to be informed in matters relating to town planning, sewage treatment and disposal works or sewage management. The writ petition does not contain any reliable data, materials or information, worth cognizance by the judiciary to upturn the proposal of the respondent concerned. Scanning the pleadings in the writ petition, we do not see that there is even an ebb of pleading or material on the basis of which any writ can be issued.

3. The fundamental right to freedom of expression as guaranteed by the Constitution is not a tool to make the judicial system a platform for expression of every opinion even without due prior preparation on facts and relevant aspects. Many may have their opinions. They may have to be carried to due domains, but not in the form of Public Interest Litigation. Frequent institution of such matters tend to clog the judicial system. The sublime purpose envisioned through the extraordinary remedial actions in 'Public Interest', quite often gets deflected. Such situations have even given rise to the coining of the term: 'Publicity Interest Litigation'.
4. With the aforesaid situation, the learned counsel for the Petitioner sought leave to withdraw this matter. This writ petition is accordingly dismissed.

Sd/-
(**Thottathil B. Radhakrishnan**)
Chief Justice

Sd/-
(**Sharad Kumar Gupta**)
Judge