

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.07.2017

CORAM

THE HON'BLE MS. INDIRA BANERJEE, CHIEF JUSTICE
AND
THE HON'BLE MR.JUSTICE M.SUNDAR

W.P.No.18248 of 2017

D.Govintharajan

.. Petitioner

Vs.

- 1 The Government of Tamilnadu
rep. by its Secretary to Government
Higher Education Department
Fort St. George
Secretariat, Chennai-9.
- 2 The Chairman
University Grants Commission
Bahadur Shah Zafar Marg
New Delhi - 110 002.
- 3 The Chancellor
Anna University
Sardar Patel Road
Guindy, Chennai-25.
- 4 Dr.S.Ganesan
Registrar cum Acting Vice Chancellor
Anna University
Sardar Patel Road
Guindy, Chennai-25.
- 5 Dr.M.Madhusoothanan
Director - Affiliation, Anna University
Sardar Patel Road, Guindy
Chennai-25.
- 6 The Joint Director and Head of Zone
Central Bureau of Investigation
III Floor, EVK Sampath Building
College Road, Chennai-6.

.. Respondents

PRAYER: Petition under Article 226 of the Constitution of India seeking issuance of a writ of mandamus directing the 6th respondent to conduct investigation into the allegations

set out in the petitioner's representations both dated 29.5.2017 sent to respondents 3 to 5 respectively.

For Petitioner : Mr.T.Mohan
for Mr.S.Anbazhagan

For Respondents : Mr.M.K.Subramanian
Government Pleader
for 1st respondent

Mr.P.R.Gopinathan
for 2nd respondent

Mr.K.Venkatramani
Addl. Advocate General
assisted by
Mr.M.Vijayakumar
for 3rd respondent

ORDER

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

In this writ petition filed by way of public interest litigation, the petitioner has sought orders on the sixth respondent to conduct an investigation into the allegations in the petitioner's representations both dated 29.5.2017 sent to respondents 3 to 5.

2. We have perused the representations. The petitioner has alleged that there has been deterioration in the standard of Anna University by reason of involvement and intervention of certain unknown persons in the activities of the University. No person has been named, nor the activities specified, in which unknown persons are allegedly involved. It is further stated that the Director (Affiliation); the Registrar and the Vice-Chancellor (In-charge) want to become the Vice Chancellor of Anna University or other universities in the State. Wanting to become a Vice Chancellor cannot in itself amount to any misdemeanor or offence.

3. There is a vague allegation of alleged bribery, which is devoid of any particulars. There is not a whisper of who, in what manner and for what purpose, has accepted bribes or abused official position. The allegation of collecting bribes for extending affiliation is also devoid of particulars. It is stated that notwithstanding deficiencies, the affiliation has been continued, but what has not been stated is, what exactly are the deficiencies.

4. In paragraph (13), it is stated that the petitioner submitted a representation seeking details of certain information, which the petitioner has not got. In the absence of information, the petitioner cannot even be sure that any deficiencies at all exist. It is reiterated that no specific deficiency has been mentioned.

5. In the notice purported to be issued by the petitioner, no specific information appears to have been sought. There can be no question of any relief in a totally vague writ petition devoid of any particulars.

6. It is not for the writ court to go into a fishing and roving enquiry into the affairs of educational institutions in the absence of any specific allegations. If the petitioner needs information, his remedy lies under the Right to Information Act, 2005.

7. The writ petition cannot be entertained and the same is dismissed. However, in the event the petitioner is able to give any specific instance of deficiency, he may make a representation to respondents 1 to 3, who shall consider the same in accordance with law. No costs. Consequently, W.M.P.No.19830 of 2017 is closed.

Sd/-
Assistant Registrar(CS VIII)

//True Copy//

Sub Assistant Registrar

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To:

1 The Secretary to Government
Government of Tamilnadu
Higher Education Department
Fort St. George
Secretariat, Chennai-9.

2 The Chairman
University Grants Commission
Bahadur Shah Zafar Marg
New Delhi - 110 002.

3 The Chancellor
Anna University
Sardar Patel Road
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4 The Joint Director and Head of Zone
Central Bureau of Investigation
III Floor, EVK Sampath Building
College Road, Chennai-6.

+1cc to Mr.S.Anabazhagan, Advocate SR.No.51908
+1cc to Mr.T.ViajaKumar, Advocate SR.No.52075
+1cc to the Government Pleader SR.No.51714

W.P.No.18248 of 2017

SK(CO)
GN(04/08/2017)



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