

IN THE HIGH COURT OF JUDICATURE AT MADRAS  
DATED: 13.11.2017  
CORAM  
THE HONOURABLE MR.JUSTICE K. RAVICHANDRABAABU  
W.P.No.28910 of 2017  
and  
WMP.No.31130 of 2017

G.Manoharan

... Petitioner

vs.

1. The Secretary to  
The Hon'ble Governor of Tamil Nadu  
Raj Bhavan  
Guindy, Chennai-600 025.
2. Mr.Dindugal C.Sreenivasan  
The Hon'ble Minister for Forest  
Government of Tamil Nadu  
Greenways Road,  
Raja Annamalaipuram  
Chennai-600 028.
3. Mr.V.C.Veeramani  
The Hon'ble Minister for Commercial Taxes  
Government of Tamil Nadu  
Greenways Road,  
Raja Annamalaipuram,  
Chennai-600 028.

...Respondents

PRAYER:

Writ Petition filed under Article 226 of Constitution of India, to issue a Writ of Mandamus, directing the 1st respondent to remove the 2nd and 3rd respondents from the council of ministers of Government of Tamil Nadu.

For Petitioner : Mr.K.Sakthivel

ORDER

This writ petition is filed seeking for a mandamus, directing the first respondent to remove the respondents 2 and 3 from the Council of Ministers of Government of Tamil Nadu.

2. Heard Mr.K.Sakthivel, learned counsel for the petitioner and perused the materials placed before this Court.

3. The present writ petition is filed based on certain statements alleged to have been made by the respondents 2 & 3 originally and subsequently, with regard to the health conditions of the former Chief Minister of Tamil Nadu, when she was hospitalized. Therefore, it is contended by the learned counsel for the petitioner that such statements, alleged to have been made by the respondents 2 and 3, will make them disqualify from functioning as the Ministers of the State.

4. I do not think that those statements alleged to have been made by these respondents 2 and 3 on two different occasions have got anything to do with their official capacity or functioning as the Ministers of the State of Tamil Nadu. In any event, the State Government has already appointed an Enquiry Commission to find out the truth in respect of the death of the late Chief Minister and the said fact finding Enquiry Commission has already started to function. When such being the position and also further by considering the fact that the averments made in the affidavit filed in support of the writ petition do not disclose any legal or constitutional issue warranting entertainment of this writ petition, by exercising the discretionary jurisdiction of this Court under Article 226 of the Constitution of India, this writ petition deserves no merits for consideration. Accordingly, the same is dismissed. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-  
Assistant Registrar(CS IV)

//True Copy//

Sub Assistant Registrar

mk

To

1. The Secretary to  
The Hon'ble Governor of Tamil Nadu  
Raj Bhavan  
Guindy, Chennai-600 025.

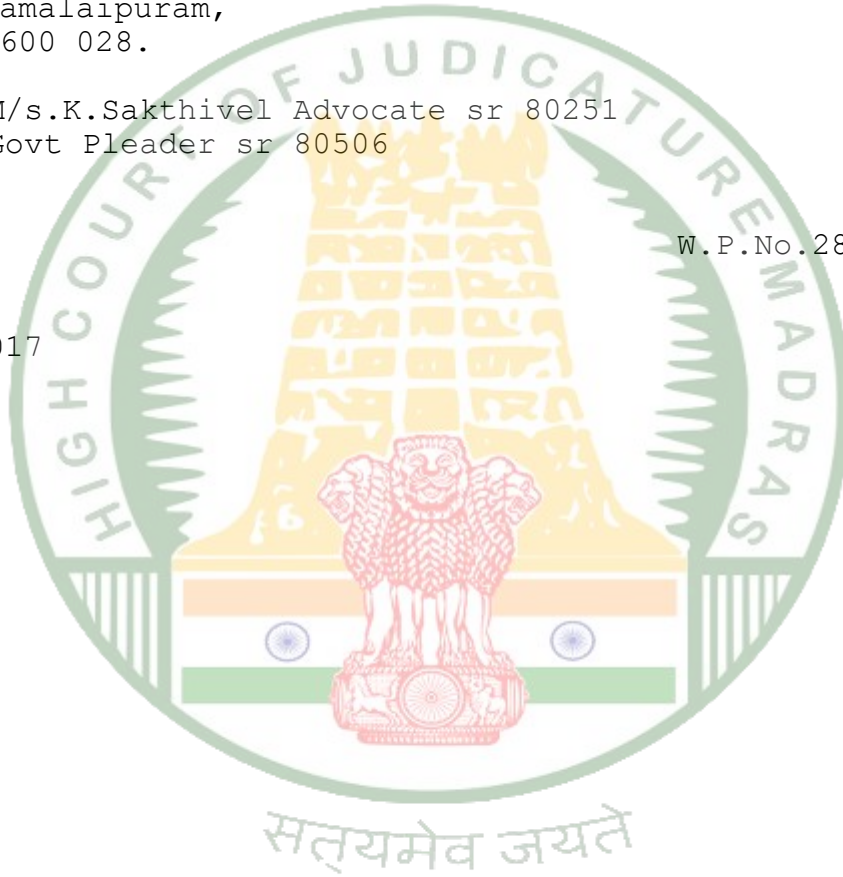
2. Mr.Dindugal C.Sreenivasan  
The Hon'ble Minister for Forest  
Government of Tamil Nadu  
Greenways Road,  
Raja Annamalaipuram  
Chennai-600 028.

3. Mr.V.C.Veeramani  
The Hon'ble Minister for Commercial Taxes  
Government of Tamil Nadu  
Greenways Road,  
Raja Annamalaipuram,  
Chennai-600 028.

+1 cc to M/s.K.Sakthivel Advocate sr 80251  
+1 cc to Govt Pleader sr 80506

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