

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 04.08..2017

C O R A M

The Honourable Mr. Justice T.S.Sivagnanam
and
The Honourable Mr. Justice M.Sundar

Writ Petition No.19426 of 2017

Shri B.Bala Murugan

.. Petitioner

versus

- 1.Union of India,
Rep. By the Secretary to Government,
Ministry of Home Affairs,
North Block,
New Delhi - 110 001.
- 2.The Office of Governor of Tamil Nadu,
Rep. By the Principal Secretary to Governor of Tamil Nadu,
Raj Bhavan,
Chennai - 600 022.
- 3.The Government of Tamil Nadu,
Rep. By Chief Secretary to Govt. of Tamil Nadu,
Fort St. George, Chennai - 9. ... Respondents

Prayer : Petition filed under Article 226 of the Constitution of India for a writ of mandamus directing the first respondent to cause an appropriate enquiry with regard to the memorandum dated 26.01.2017 submitted by the petitioner to the President of India requesting him to dismiss Shri Vidhyasagar Rao, Governor of Tamil Nadu, for falsely claiming that he reallocated the portfolio held by the then Chief Minister J.Jayalalitha to Thiru O.Panneerselvam, Minister for Finance on the advice of the then Chief Minister, J.Jayalalitha.

For Petitioner : Mr. B.Bala Murugan (Party-in-person)

For Respondents : Mr. R.Muthukumaraswamy, AG
Assisted by Mr.M.K.Subramanian, Spl.GP

ORDER

(Order of the Court was made by T.S.Sivagnanam, J.)

Heard Mr.B.Bala Murugan, the petitioner appearing in person.

2. This writ petition styled as a Public Interest Litigation has been filed seeking for issuance of a writ of mandamus to direct the first respondent / Union of India, represented by the Secretary to Government, Ministry of Home Affairs, New Delhi, to cause an appropriate enquiry in regard to the memorandum dated 26.01.2017 submitted by the petitioner to the President of India requesting him to dismiss the Governor of Tamil Nadu, for falsely claiming that he reallocated the portfolio held by the then Chief Minister J.Jayalalitha to Thiru. O.Panneerselvam, then Minister for Finance, on the advice of the then Chief Minister.

3. The petitioner is a serving IRS Officer presently working as Assistant Commissioner (authorized representative) in CESTAT, Chennai. After hearing the petitioner-in-person and perusing the averments made in the affidavit filed in support of the writ petition, it is seen that the petitioner has been inspired to file this writ petition solely based upon the newspaper reports.

4. We questioned the petitioner as to what was the source of information and he would candidly admit that it has been published in the newspapers and everybody is aware of the same.

5. We do not subscribe to the stand taken by the petitioner, as it is settled principle that a Public Interest Litigation cannot be maintained solely based upon the newspaper reports. Further, we find that on similar issues, earlier Public Interest Litigations were filed and they were not entertained. Thus, the attempt of the petitioner is to rake-up the settled issue.

6. The petitioner, during the course of his submissions, admitted that his spouse had filed a writ petition, somewhat on the same set of allegations, though not for the same prayer and the said writ petition was dismissed. However, a copy of such order has not been enclosed in the typed set of papers.

7. Thus, we find that there are no grounds to entertain the present writ petition and accordingly, the same is dismissed. No Costs. Consequently, connected WMP.No.20952 of 2017 is closed.

Sd/-
Asst.Registrar (CS III)

/true copy/

Sub Asst. Registrar

To

- 1.The Secretary to Government,
Ministry of Home Affairs,
North Block,
New Delhi - 110 001.
 - 2.The Principal Secretary to Governor of Tamil Nadu,
Office of Governor of Tamil Nadu,
Raj Bhavan,
Chennai - 600 022.
 - 3.The Chief Secretary to Govt. of Tamil Nadu,
Government of Tamil Nadu,
Fort St. George, Chennai - 9.
- +1cc to Mr.B.Bala Murugan,P-in-P,sr.56679
+1cc to Mr.V.P.Sengottuvel,Advocate sr.56073
+1cc to Government Pleader sr.56396

W.P.No.19426 of 2017

br(co)
ss(1/9/2017)

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