

**IN THE HIGH COURT OF JUDICATURE AT HYDERABAD
FOR THE STATE OF TELANGANA AND THE STATE OF ANDHRA PRADESH**

* * * *

WRIT PETITION No.11899 of 2014

Between:

D.Krishna Mohan

....Petitioner

and

Government of Andhra Pradesh,
Rep.by Chief Secretary, Secretariat,
Hyderabad – 22.

....Respondent

JUDGMENT PRONOUNCED ON : 02.02.2017

THE HON'BLE SRI JUSTICE A.RAMALINGESWARA RAO :

1. Whether Reporters of Local newspapers may be allowed to see the Judgments? : Yes
2. Whether the copies of judgment may be Marked to Law Reporters/Journals? : No
3. Whether Their Ladyship/Lordship wish to see the fair copy of the Judgment? : No

THE HON'BLE SRI JUSTICE A.RAMALINGESWARA RAO

WRIT PETITION No.11899 of 2014

ORDER:

This Writ Petition was filed by a practising Advocate appearing as a party-in-person seeking a direction for issuing medical treatment needs and its inaction as contrary to Article 21 of the Constitution of India.

In the affidavit filed in support of the Writ Petition he states that prior to enrolling as an Advocate he filed his grievance online and it was registered in the Secretariat of the Hon'ble President of India vide registration number PRSEC/E/2012/07699 and it was followed by another representation dated 12.10.2012. On 04.11.2013 he got SMS to his mobile "your grievance with registration No.PRSEC/E/2012/07699 has been disposed of visit <http://PG PORTAL.Gov> in for details". He further states that he took the print of the communication and faxed on 15.12.2013 to the Labour Secretary, Secretariat, Hyderabad and visited on 20.01.2014. The Labour Secretary declined to hear and directed him to meet the Health Secretary and the Chief Minister for relief. He sent an e-mail to the Chief Secretary on 05.02.2014 and a legal notice through e-mail on 13.02.2014. It did not elicit any response. When he tried to contact the Hon'ble Chief Minister in the Camp Office, he was told that the Chief Minister was in Assembly Sessions and no public interviews would be granted. Since the President rule was imposed on 03.03.2014, he visited the Raj Bhavan. But, he was not allowed to go inside. In those circumstances, he approached this Court seeking a direction to the State of Andhra Pradesh for payment of Rs.10.00 lakhs (Rupees ten lakhs only) for him and his wife.

The party-in-person submitted that since his representation was forwarded by the Secretariat of Hon'ble President of India, he is entitled for consideration of his representation and by not providing funds for medical needs to the petitioner, Article 21 of the Constitution of India is violated.

When this Court repeatedly asked the petitioner with regard to the right to claim amount for medical needs, except stating that his representation was forwarded from the Secretariat of the Office of the Hon'ble President of India, he could not make any other submission.

The representation to a Constitutional functionary cannot form basis for a right to claim the relief in the Writ Petition. No legal right is shown for granting the relief sought for by the petitioner. The petitioner, being a practicing Advocate, should not have filed a frivolous Writ Petition and this court is of the opinion that the Writ Petition is frivolous and a misuse of the process of the court.

In the circumstances, this Court has no alternative, except to dismiss the Writ Petition with costs of Rs.1,000/- (Rupees one thousand only) payable to the Telangana High Court Advocates Association.

The Writ Petition is, accordingly, dismissed with costs as above. The miscellaneous petitions pending in this Writ Petition, if any, shall stand closed.

(A.RAMALINGESWARA RAO, J)

02.02.2017
vs