

THE HON'BLE THE ACTING CHIEF JUSTICE RAMESH RANGANATHAN

WRIT PETITION NO.2521 OF 2009

ORDER:

The relief sought for in this Writ Petition is against respondents 1 to 3. The first respondent is a Mutually Aided Cooperative Maintenance Housing Society established under the Mutually Aided Cooperative Societies Act.

When I asked Sri Koka Srinivasa Kumar, learned counsel for the petitioner, as to how the jurisdiction of this Court under Article 226 of the Constitution of India could have been invoked when respondents 1 to 3 do not appear to be instrumentalities of the State under Article 12 of the Constitution of India, and no relief has been sought for in the Writ Petition against the fourth respondent, Learned counsel has no answer.

It is not even asserted in the writ affidavit that the first respondent is a State within the meaning of Article 12 of the Constitution of India. The affidavit does not refer to violation of any statutory provision by the first respondent either. I see no reason, therefore, to entertain the present Writ Petition.

The Writ Petition fails and is accordingly dismissed. There shall be no order as to costs. Miscellaneous applications, if any, pending shall stand dismissed.

(RAMESH RANGANATHAN, ACJ)

21st July 2017
RRB