

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 12.09.2019

CORAM

THE HONOURABLE MR. JUSTICE M.SATHYANARAYANAN

AND

THE HONOURABLE MR. JUSTICE N.SESHASAYEE

WP.No.9823/2018 & WMP.No.11750/2018

Mr.Rajaravindran

.. Petitioner

Versus

- 1.The District Collector,
Collectorate,
Perambalur District.
- 2.The Director,
Rural Development Agency,
PanangalMaligai,
Chennai.
- 3.The Project Director,
District Rural Development Agency,
Permabalur District,
Perambalur.
- 4.The Block Development Officer(Panchayat),
Office of Assistant Director(Panchayat Administration),
Permablaur District.
- 5.The Registrar,
Annamalai University,
Annamalai Nagar,
Chindambaram.

6.R.Rajendiran

..

Respondents

Prayer:- Writ petition filed under Article 226 of the Constitution of India praying for a writ of Mandamus directing the Respondents 1 to 5 herein to verify the credential of the 6th respondent who claiming as Hydro Geologist for certifying the ground water sources by holding the post graduate decree of M.SC., Geology from the 5th Respondent herein by disposing the representation dt. 05/01/2018 and consequently, take appropriate

action against the 6th respondent herein.

For Petitioner : Mr.Manoharan Sundaram
For Respondents : Mr.B.Anand for RR1 to 4
Mr.M.R.Dharanichandran for R5
Mr.K.Sathishkumar for R6

ORDER

[Order of the Court was made by M.SATHYANARAYANAN, J.,]

- (1) By consent, the writ petition is taken up for final disposal. This writ petition, styled as a Public Interest Litigation, has been filed by the petitioner who is having the qualification of M.Sc.(Information Technology) and since he could not get a job, decided to look after agricultural activities.
- (2) The grievance expressed by the petitioner is that his native District, viz., Perambalur, is always a water starve District and in order to put up a bore well, the services of the sixth respondent have been engaged and according to the petitioner, he lacks necessary qualification and also suspected the bona fide of his qualification and therefore, sought an information under the Right to Information Act, 2005, from the Annamalai University and it was denied on the ground that it was a personal information.
- (3) The learned counsel for the petitioner has drawn the attention of this Court to the typed-set of documents and would submit that the alleged Degree Certificate said to have been issued by the Annamalai University, certifying that the 6th respondent is having the qualification of M.Sc [Geology] itself is doubtful and it was also brought to the knowledge of that the first respondent, who vide communication dated 13.02.2018 in O.Mu.No.G2/755/2018 has instructed the Public Information Officer, the Block Development Officer(Admn), Asst Director (R/I) Office, Perambalur District to take for his reference and appropriate action and despite a lapse of nearly one year and odd, no action whatsoever, has been taken and therefore, the petitioner is constrained to approach this Court by filing this writ petition.
- (4) Mr.K.Sathish Kumar, learned counsel appearing for the 6th respondent has drawn the attention of this Court to the counter affidavit as well as the typed set of documents dated 24.01.2019 and 05.07.2019 respectively and would submit that initially the first respondent, vide proceedings dated 05.10.2018 in Na.Ka.No.A3/101/2018 has suspended the services

of the 6th respondent as a Geologist temporarily till the disposal of the writ petition and after causing verification through Annamalai University, in which he had undergone the Course and got the Certificate, issued the proceedings dated 02.07.2019 in Na.Ka.NoA3/101/2018 addressed to the 4th respondent stating among other things that all the certificates pertain to the qualification of the 6th respondent, are genuine and that apart, no interim orders have also been granted by this Court pending disposal of the writ petition and therefore, granted liberty to the 4th respondent to engage the services of the 6th respondent depending upon their requirement and the same is subject to the result of the writ petition.

(5) This Court has considered the rival submissions and also perused the materials placed before it.

(6) Though the petitioner who claims to be a Public Interest Litigant, is aggrieved by the engagement of the 6th respondent as a Geologist to find out the water source, the fact remains that apart from the services of the 6th respondent, the services of the other Geologists have also been engaged to locate the water sources and it appears that the petitioner is not aggrieved by the services of the others but only he is targeting the 6th respondent on the ground that the qualification possessed by him, lack genuinely. The above cited communication of the 1st respondent dated 02.07.2019 addressed to the 5th respondent would disclose that the 6th respondent is having necessary qualifications and permitted the 4th respondent to engage his services as a Geologist subject to the result of the writ petition.

(7) In the considered opinion of the Court, the Public Interest Litigation cannot be used to target an individual, viz., the 6th respondent, and in the light of the communication of the 1st respondent dated 02.07.2019 addressed to the 4th respondent, it cannot be said that the 6th respondent lacks necessary qualification and that the Certificates regarding his educational qualification also appear to be genuine. The writ petition lacks merits and substance and deserves dismissal.

(8) In the result, the writ petition stands dismissed. No costs. Consequently, the connected miscellaneous petition is closed.

Sd/-

Asst.Registrar (Insp cell)

/true copy/

Sub Asst. Registrar

AP

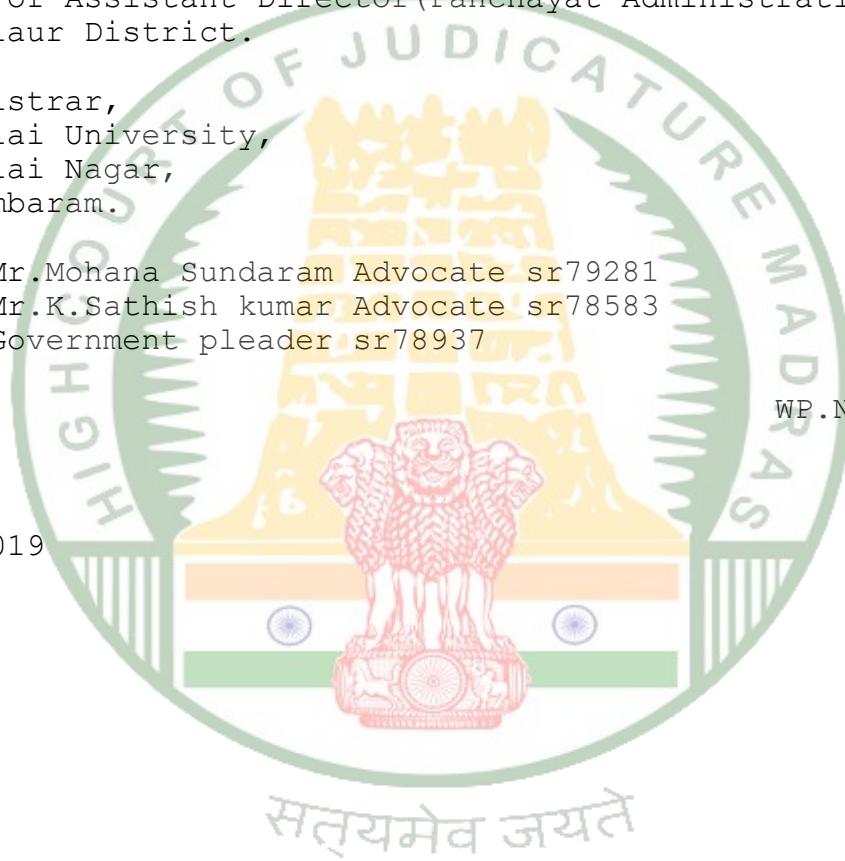
To

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- 5.The Registrar,
Annamalai University,
Annamalai Nagar,
Chindambaram.

+1 cc to Mr.Mohana Sundaram Advocate sr79281
+1 cc to Mr.K.Sathish kumar Advocate sr78583
+1 cc to Government pleader sr78937

WP.No.9823/2018

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