

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Date: 30.08.2019

CORAM

THE HON'BLE MR. JUSTICE V.PARTHIBAN

Writ Petition No.26181 of 2019

Dr.T.E.Thiruvengadam

...Petitioner

Vs.

1.The Secretary to Government,
Ministry of Home Affairs,
North Block, Cabinet Secretariat,
Raisina Hill, New Delhi - 110 001.

2.The Joint Secretary,
Freedom Fighter Rehabilitation Division,
Ministry of Home Affairs,
NDCC II Building, Jaisingh Road,
New Delhi - 110 001.

3.Smt.R.S.Isabella,
Executive Director/Managing Director-In-Charge,
Repco Towers, 33, North Usman Road,
T.Nagar, Chennai - 600 017.

...Respondents

Writ Petition filed under Article 226 of Constitution of India, for issuance of writ of mandamus directing the respondents to consider and pass suitable orders on the petitioner's representations dated 29.01.2019 and 03.07.2019 within the time stipulated.

For Petitioner : M/s.Manivasagam Associates

For Respondents: Mr.A.Ilangovan (for R.3)

ORDER

The petitioner claims himself to be a General Manager of the third respondent bank. According to him, he has been serving the bank with unblemished record of service.

2.The present writ petition has been filed by him seeking for issue of writ of mandamus directing the respondents 1 and 2

to pass orders on his representation. In his representation, the petitioner appears to have raised several concerns about various irregularities committed by the third respondent bank and also violation of several regulations in the day to day functioning of the bank. According to him, he being concerned with the welfare of the bank, submitted representations to the respondents 1 and 2 to take action. Since there was no response to the said representations, the petitioner is before this Court.

3. From the entirety of averments contained in the affidavit filed in support of the writ petition, it appears that the petitioner has some kind of axe to grind against the third respondent and he has come up with lot of allegations about the functioning of the bank. The entire affidavit is full of self serving averments and on the basis of such averments, this Court cannot give a blanket direction to dispose of the representation said to have been submitted by the petitioner herein against the functioning of the third respondent bank.

4. This Court's jurisdiction cannot be misused for settling personal scores of the individuals and this type of litigation is always resorted to for achieving certain collateral purposes. Therefore, this Court cannot be made a party to the personal fight of the petitioner as against the bank. In the guise of seeking an innocuous direction from this Court, the petitioner is probably intending to achieve his personal agenda. Even otherwise, it appears that the allegations contained in the affidavit are in the realm of public interest, though the petitioner is associated directly with the bank.

5. Therefore, this Court is of the considered view that the writ petition is not maintainable and at the instance of the petitioner a blanket direction cannot be given to the Governmental Authorities, as there is no duty cast upon the Governmental Authority to pass orders on such representation by the so called aggrieved individuals.

6. On the whole, this Court finds that the writ petition is not a bona fide litigation and hence, the same is dismissed both on the ground of maintainability as well as on merits. No costs.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

To

1.The Secretary to Government,
Ministry of Home Affairs,
North Block, Cabinet Secretariat,
Raisina Hill, New Delhi - 110 001.

2.The Joint Secretary,
Freedom Fighter Rehabilitation Division,
Ministry of Home Affairs,
NDCC II Building, Jaisingh Road,
New Delhi - 110 001.

+1cc to M/s.Manivasagam Associates, Advocate Sr.75433

+1cc to Ms.S.S.Meenakumari, Advocate Sr.76048

+1cc to Mr.A.Ilangovan, Advocate Sr.75386

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