



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : **05.04.2019**

CORAM:

THE HONOURABLE MR.JUSTICE **N.KIRUBAKARAN**

AND

THE HONOURABLE MR.JUSTICE **S.S.SUNDAR**

W.P. (MD) No.8231 of 2019

A.M.Sundaravel

: Petitioner

Vs.

1.The Principal Secretary to Government,
Revenue Department,
State of Tamil Nadu,
St. George Fort,
Chennai - 600 009.

2.The District Collector,
Tirunelveli District,
Tirunelveli.

3.The District Superintendent of Police,
Tirunelveli District,
Tirunelveli.

: Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India, praying to issue Writ of Mandamus to direct the respondents to issue circular with regard to consider and take appropriate action for grievances of public by fixing specific time period as per the Public Representation Act by considering the petitioner's representation dated 12.06.2018 and 07.09.2018.

For Petitioner : Mr.A.M.Sundaravel
Party in person

For Respondents : Mr.A.K.Baskarapandian
Special Government Pleader

ORDER

(Order of the Court was made by **S.S.SUNDAR, J.**)

This Writ Petition is filed for issuance of a Writ of Mandamus directing the respondents to issue circular with regard to consider and take appropriate action for grievances of public by fixing specific time period as per the Public Representation Act by



considering the petitioner's representations dated 12.06.2018 and 07.09.2018.

2. From the reading of the affidavit itself it is seen that the petitioner has come forward with half baked informations without any search or knowledge in law. Though the petitioner has stated about the grievance of some of the individuals who have approached the Government officials for some assistance, the *locus standi* of the petitioner himself, if examined, would disappoint this Court that the petitioner has filed this litigation not in public interest but in publicity interest. The petitioner refers to some of the statutes which do not exist. The petitioner refers to "Public Representation Act" to compel every Government authority to perform his duty within specific period upon receiving a complaint from the public. The petitioner during his argument refers to provisions of Indian Penal Code and stated that a direction should be issued to the Government officials. Unfortunately, he is unable to produce any statutory provisions lending support to his prayer which he is now seeking from this Court.

3. In order to save the precious time of Court from persons who are busybodies of meddlesome interlopers who indulge in judicial process with improper motives, the Hon'ble Supreme Court in **S.P. Anand V. H.D. Deve Gowda** reported in **AIR 1997 SC 272** has held as follows:

"18. Before we part, we cannot help mentioning that on issues of constitutional laws, litigants who can lay no claim to have expert knowledge in that field should refrain from filing petitions, which if we may say so, are often drafted in a casual and cavalier fashion giving an extempore appearance not having had even a second look. This is the impression that one gets on reading the present petition. It is of utmost importance that those who invoke this Court's jurisdiction seeking a waiver of the *locus standi* rule must exercise restraint in moving the Court by not plunging in areas wherein they are not well-versed. Such a litigant must not succumb to spasmodic sentiments and behave like a knight-errant roaming at will in pursuit of issues providing publicity. He must remember that as a person seeking to espouse a public cause, he owes it to the public as well as to the court that he does not rush to court without undertaking a research, even if he is qualified or competent to raise the issue. Besides, it must be remembered that a good cause can be lost if petitions are filed on half-baked information without proper research or by persons who are not qualified and competent to raise such issues as the rejection of such a petition may affect third party rights. Lastly, it must also be borne in mind that no one has a right to the waiver of the *locus standi* rule and the court should permit it only when it is satisfied that the carriage of proceedings is in the competent hands of a person who is genuinely concerned in



public interest and is not moved by other extraneous considerations."

4. Based on news items published in news papers, he submitted a representation without even meeting the news maker. Innumerable time will be wasted if these kind of so-called public interested litigant is encouraged. Considering the judicial exposition of the rule governing *locus standi*, the petitioner has no *locus* and this Court find any public spirit in this litigation even though in appropriate case this Court may entertain a similar Writ Petition. Since this Court is unable to find either *locus standi* or *bona fides* in this litigation, this Writ Petition is dismissed with a warning to the petitioner not to file public interest litigations without a search or without any legal knowledge or consultation. No costs.

Sd/-

Assistant Registrar

// True Copy //

Sub Assistant Registrar(CS)

srm

To

1. The Principal Secretary to Government,
Revenue Department,
State of Tamil Nadu,
St. George Fort,
Chennai - 600 009.

2. The District Collector,
Tirunelveli District,
Tirunelveli.

3. The District Superintendent of Police,
Tirunelveli District,
Tirunelveli.

1 CC to M/s.A.M.SUNDARAVEL, Party in Person (SR-59732[F] dated 09/04/2019)

+1 CC to M/s.SPL GP (SR-59934[F] dated 09/04/2019)

ORDER MADE IN
W.P. (MD) No.8231 of 2019