

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.10.2020

CORAM

THE HONOURABLE THIRU JUSTICE V. PARTHIBAN

W.P.No.14307 of 2020

T.S.Arivagam

...Petitioner

Vs.

1. The State rep by,
The Director,
Metropolitan Transport Corporation,
Pallavan Salai, Pallavan Illam,
Chennai - 600 002.
2. The Branch Manager,
Metropolitan Transport Corporation,
Perumpakkam Depot, Perumpakkam,
Chennai - 600 100.
3. The Branch Manager,
Metropolitan Transport Corporation,
Adyar Depot, Adyar, Chennai.
4. Mr.Murgaiyan (Batch No.16623)
5. Mr.K.S.Ravi Chandran (Batch No.C16341)

...Respondents

Writ Petition filed under Article 226 of the Constitution of India praying for issuance of Writ of Mandamus directing the 2nd respondent to consider petitioner's representation and direct the 2nd respondent to take appropriate legal action and conducted departmental proceeding against Mr.Murgaiyan (Batch No.16623) and Mr.K.S.Ravi Chandran (Batch No.C16341) based on the petitioner's representation on 26.08.2020.

For Petitioner : Mr.S.Sugendran

For Respondents : Mr.Y.Parthasarathy
Government Advocate

ORDER

This writ petition is filed for the following prayer;

"To directing the 2nd respondent to consider petitioner's representation and direct the 2nd respondent to take appropriate legal action and conducted departmental proceeding against Mr.Murgaiyan (Batch No.16623) and Mr.K.S.Ravi Chandran (Batch No.C16341) based on the petitioner's representation on 26.08.2020."

2.The petitioner is working as a Conductor in the respondent/Corporation. According to him that he has been approached by the 4th respondent on 22.06.2018, who was working as Driver and received a sum of Rs.80,000/- assuring the petitioner of getting a Secretary post in Anna Thozhir Sangam at Perumpakkam Depot. According to him that 4th respondent has given a part of the amount to the 5th respondent. However, since what was assured to him was not forthcoming, he started making demand for return of money. In connection with the transaction, the petitioner has given a representation to the Officials of the Corporation namely respondents 1 to 3 to take action against the respondents 4 and 5. Since, no action was forthcoming, the petitioner is before this Court.

3.This Court finds that the petitioner from his own narrative was involved in some private transactions with respondents 4 & 5 and according to him that he has parted with some money, being assured of some position in the Trade Union. This kind of dispute ought not to engage the attention of this Court, as such dispute falls within the realm of personal transaction between individuals.

4.The jurisdiction of this Court, particularly for issue of writ of mandamus cannot be used or misused by bringing in private dispute and seek a seemingly innocuous direction in order to settle personal scores. This Court finds that such ploy is being adopted quite frequently by certain individuals and they invoke the Constitutional Jurisdiction of this Court under Article 226 of Constitution of India for a variety of personal grievances and also to advance their nefarious and illegitimate personal agenda. A Constitutional remedy cannot be allowed to become a playful opportunity for individuals like the petitioners herein to seek direction in order to give vent to the personal grudge against his colleagues. This Court is under an obligation to dismiss such writ petitions in order to engage itself qualitatively in adjudication of serious litigations of considerable importance, as considerable time is being consumed by such litigations which ought not to engage the attention of

this Constitutional Court under any circumstances. The Court's time being wasted in disposing of or dismissing such writ petitions. Both in terms of the time spent by the Judge, and the Registry together on such veracious litigations and such litigations must be dealt with sternly at the admission stage itself.

5. Therefore, the writ petition is dismissed as being a mischievous and motivated attempt to drag this Court into the personal dispute of the petitioner with the respondents 5 & 6 and in that circumstances, the writ petition is dismissed with cost of Rs.5,000/- payable by the petitioner to the Hon'ble Chief Minister's Covid - 19 Relief Fund. The petitioner is directed to pay the cost within a period of one week from the date of receipt of copy of this order, failing which the respondents 1 to 3 are directed to deduct the same from the monthly salary payable to the petitioner and credit the same to the Hon'ble Chief Minister's Covid - 19 Relief Fund.

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

To

1. The State rep by,
The Director,
Metropolitan Transport Corporation,
Pallavan Salai, Pallavan Illam,
Chennai - 600 002.
2. The Branch Manager,
Metropolitan Transport Corporation,
Perumpakkam Depot, Perumpakkam,
Chennai - 600 100.
3. The Branch Manager,
Metropolitan Transport Corporation,
Adyar Depot, Adyar, Chennai.

Copy to:

The Deputy Secretary and Treasurer,
Chief Minister's Public Relief Fund,
Finance Department,
Government of Tamil Nadu,
Chennai-09.

+1cc to the Government Pleader in SR.NO..33506

W.P.No.14307 of 2020

PA (CO)
RV(06/11/2020)



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