

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 30.11.2020

CORAM

THE HONOURABLE MR. JUSTICE N.ANAND VENKATESH

W.P.No.17293 of 2020

C.Selvakumar

..Petitioners

Versus

1. The Union of India,
represented by its Secretary,
Ministry of Human Resource Development,
127-C, Shastri Bhavan, New Delhi.
2. The Chairman,
All India Council for Technical Education
(AICTE), Nelson Mandela Marg,
Vasanth Kunj, New Delhi 110 070
3. The Registrar,
Anna University,
Guindy, Chennai-25.
4. The Director General of Police,
Tamilnadu Police Department,
Dr.Radhakrishnan Road, Chennai-5.
5. Mr.T.Kannan, IPS,
Superintendent of Police,
Chengalpattu District,
Chengalpattu.
6. Mr.E.Sundaravathanam IPS,
ASP-Mamallapuram Sub Division,
Chengalpattu District.
7. The Inspector of Police,
Selaiyur Police Station,
Greater Chennai Police,
Chennai-75.
8. Alhaj.S.M.Yousuf,
Chairman, Mohamed Sathak Trust,

9. Dr.K.Srinivasan,
Principal and Member Secretary of
Governing Council, Mohamed Sathak
AJ College of Engineering,
Siruseri IT Park, OMR, Chennai 603 103.
10. Dr.S.Vijayakumar,
Administrative Officer and Senior Faculty Member,
Mohamed Sathak AJ College of Engineering,
Siruseri IT Park, OMR, Chennai-603103
11. Mr.Abdul Gafoor,
Admission Officer,
Mohamed Sathak AJ College of Engineering,
Siruseri IT Park, OMR, Chennai 603 103.

..Respondents

Prayer:- Writ petition filed under Article 226 of the Constitution of India praying for issuance of a writ of Mandamus directing the 2nd and 3rd respondents to recall the approval and affiliation given to the 8th respondent by directing them to issue the necessary direction to the 8th respondent to pay a sum of Rs.50 lakhs as compensation to the petitioner and directing the 2nd respondent and 3rd respondent to take necessary legal action against respondents no.9,10,11 .

For Petitioners: Mr. K.Kannan

For Respondents: Mr.K.Parameswaran

Government Advocate for R4 & R7

ORDER

This Writ petition has been filed for the issue of writ of mandamus directing the second and third respondents to recall the approval and affiliation given to the 8th respondent institution and for a further direction to the 8th respondent to pay the petitioner a sum of Rs. 50 lakhs as compensation and for a further direction to take legal action against the respondents 9, 10 and 11.

2. This is a classic case which is actuated with malice where the petitioner wants to settle scores with the 8th respondent institution and also the officers of the 8th respondent institution by invoking the jurisdiction of this Court under Article 226 of the Constitution of India.

3. The brief facts of the case are that the wife of the petitioner seems to have worked in the 8th respondent

institution. According to the petitioner she was harassed by respondents 9 to 11 since she belongs to schedule caste community and as a result of the same, she went into depression and there was a misunderstanding between the petitioner and his wife. According to the petitioner, this misunderstanding took place only because of the harassment meted out by the officers belonging to the 8th respondent institution on the wife of the petitioner.

4. The further case of the petitioner is that a complaint has been given to the police to initiate action against concerned officials under the SC and ST Act. Therefore, the petitioner wants respondents 2 and 3 to recall the approval/affiliation of the 8th respondent institution.

5. Heard Mr.C.Kannan, learned counsel appearing for the petitioner.

6. There are multiple grievances that are expressed by the petitioner in this case. The first grievance is regarding his misunderstanding with his wife, wherein, the wife of the petitioner went out of the matrimonial home and a woman missing FIR came to be registered in this regard. The second grievance of the petitioner is that his wife was harassed by the 8th respondent institution and its officers since she belongs to the Scheduled Caste community. According to the petitioner, there is already a complaint given to the police and the same is under enquiry. The third grievance expressed by the petitioner is that he is undergoing mental depression and therefore the petitioner is asking for compensation of Rs. 50 Lakhs from the 8th respondent institution. For all these grievances, the petitioner wants the 2nd and 3rd respondents to withdraw the approval/affiliation of the 8th respondent institution.

7. The petitioner who claims to be the founder and President of a Sangam fighting for the rights of a particular community, wants to use this Writ Petition as a tool to arm twist the 8th respondent institution. All the grievances raised by the petitioner are pure questions of fact and the same cannot be gone into by this Court in exercise of its jurisdiction under Article 226 of the Constitution of India. The relief claimed by the petitioner is too far fetched and it is quite curious that for the misunderstanding between the petitioner and his wife, the petitioner is claiming compensation from the 8th respondent institution. Looking at the case from any angle, it totally lacks merits and there is absolutely no ground to entertain the same.

8. In the result, this Writ Petition is dismissed. No costs.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

To

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5. The Superintendent of Police,
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Chengalpattu.
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RR II (07/01/2021)