



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 16.03.2021

CORAM

THE HONOURABLE MR.JUSTICE S.VAIDYANATHAN

W.P.No.6741 of 2021
(Heard through VC)

R.Balasubramanian

.. Petitioner

-vs-

1.The District Educational Officer,
Denkanikottai,
Krishnagiri District - 635 107.

2.The Block Educational Officer,
Thally Block,
Denkanikottai Taluk,
Krishnagiri District - 635 118.

3.C.Narasimhan

4.Padmabarathy

.. Respondents

Prayer: Petition filed under Article 226 of Constitution of India to issue a Writ of Mandamus to impose heavy punishment for perjury to the respondents who had filed false and misleading affidavit before this Court in C.M.P.No.22187/2019 in W.A.No.3466/2019 which is pending before this Court or initiate proceedings under Section 191 of Indian Penal Code in accordance with law.

For Petitioner : Mr.J.Selvarajan

For Respondents-1 & 2 : Mr.P.Raja
Government Advocate

O R D E R

The petitioner has come forward with this writ petition seeking to impose heavy punishment for perjury to the respondents who had filed false and misleading affidavit before this Court in C.M.P.No.22187/2019 in W.A.No.3466/2019 which is pending before this Court or initiate proceedings under Section 191 of Indian Penal Code in accordance with law.

2. Mr.P.Raja, learned Government Advocate takes notice on behalf of the respondent Nos.1 & 2.

3. By consent of both parties, the writ petition is taken up for final disposal at the admission stage itself.



4. It is represented by the learned counsel for the petitioner that a false and misleading statement has been made before the Hon'ble Division Bench of this Court in C.M.P.No.22187 of 2019 in W.A.No.3466 of 2019 and therefore, a mandamus is sought for initiating proceedings under Section 191 of Indian Penal Code.

5. It is no doubt true that any person, who misleads the Court is liable to be punished for perjury and those persons have to be necessarily sent to prison to taste the jail food for coming with false averments. However, in the present case on hand, the purported false averments are said to be made before the Division Bench and its veracity cannot be gone into by this Court while sitting singly. If the petitioner has got any grievance, it is open to him to approach the Division Bench with necessary petition and it is for the Hon'ble Division Bench to appraise the facts / plea raised by the petitioner and decide the issue, if it prima facie sounds well. This Court is not inclined to issue any mandamus at this stage. Hence, the relief sought for by the petitioner cannot be granted in the present writ petition.

6. Accordingly, this writ petition is dismissed. No costs.

Sd/-

Assistant Registrar (CS-VII)

//True Copy//

Sub Assistant Registrar

rsi

To

1.The District Educational Officer,
Denkanikottai,
Krishnagiri District - 635 107.

2.The Block Educational Officer,
Thally Block,
Denkanikottai Taluk,
Krishnagiri District - 635 118.

+1cc to the Government Pleader, S.R.No. 16912

W.P.No.6741 of 2021

PL(CO)
GN(20/07/2021)