



WEB COPY

IN THE HIGH COURT OF JUD9ICATURE AT MADRAS

DATED: 12.11.2021

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THE HONOURABLE MR. JUSTICE V.PARTHIBAN

W.P. No.24249 of 2021

G.Manivannan

... Petitioner

Vs

1. The General Manager Telecom,
BSNL, Hospital Road,
Cuddalore - 607 001.

2. R.Sridhar

... Respondents

PRAYER :

Petition filed under Article 226 of the Constitution of India praying for the issuance of Writ of Mandamus directing the respondents to consider the complaint of the petitioner dated 18.3.2019 and take action on the same.

For Petitioner : Mr.M.Devaraj

O R D E R

The petitioner claims himself to be a businessman and is also involved in social service helping the public at large. He claims to be a District Secretary of AITUC and according to him that wherever there is an illegal activity indulged in by the Government officials, he would take up the cudgels against them.

2. According to the petitioner, that the second respondent is employed as Office Superintendent in the office of the first respondent. The second respondent is alleged to have involved himself in political activities and participated in the demonstration and agitation during the office hours on 23.10.2018, 10.11.2018, 27.11.2018, 06.12.2018 etc. without getting prior permission of the higher authorities and absented from work during working hours. In the said circumstances, the second respondent has to be proceeded against departmentally for violating the conduct rules.



3. The petitioner appeared to have sent a representation in this regard to the Minister concerned on 24.12.2018 and has been following up the representation at various levels. However, since no action has been forthcoming, he is before this Court with the prayer for issuance of writ of mandamus to direct the first respondent to consider and take action on the complaint of the petitioner dated 18.3.2019.

4. From the entirety of the averments as contained in the affidavit filed in support of the Writ Petition, it may be deduced that the Writ Petitioner has not come up with this litigation for bonafide reasons. His claim that he is involved in social service helping the public at large and has been a crusader against illegal activities is nothing but a self-proclaimed virtues and such a tall claim does not carry any conviction with this Court.

5. Even otherwise, a Writ Petition of this nature ought not to be entertained even for a second for the reason that such litigations are invariably motivated and intended to serve the hidden agenda of the Writ Petitioner who probably has an axe to grind against the second respondent.

6. The Constitutional power of this Court under Article 226 is not meant to be exercised for serving any nefarious ends of persons like the petitioner herein. These kind of litigations are always laced with personal agenda. The Court's constitutional jurisdiction is not be invoked for settling personal scores and the litigation of this type is intended to achieve a collateral purpose with an oblique motive.

7. In such circumstances, this Court dismisses this Writ Petition with cost of Rs.5,000/-, payable to the Hon'ble Chief Minister's COVID Relief Fund - 2019 within a period of two (2) weeks from the date of receipt of a copy of this order.

8. In the event of default, the District Collector, Cuddalore is directed to initiate revenue recovery proceedings against the petitioner, recover the cost and remit the amount as directed above.

Sd/-

Assistant Registrar(CS VII)

//True Copy//

Sub Assistant Registrar

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To

1. The General Manager Telecom,
BSNL, Hospital Road,
Cuddalore - 607 001.

2. The District Collector, Cuddalore.

+lcc to Mr.M.Devaraj, Advocate, S.R.No.58097

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BP (CO)

CT 02/12/2021