



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated: 06.12.2021

Coram:

THE HONOURABLE MR.JUSTICE V.PARTHIBAN

W.P.No.25456 of 2021

and

W.M.P.No.26904 of 2021

1. I.Ganapathy, S/o Iyyanarappan
 2. K.Kulasekaran, S/o Krishnan .. Petitioners
- Vs.
1. The Union of India,
Represented by the Chief Secretary to Government,
Government of Puducherry,
Chief Secretariat,
Goubert Avenue,
Puducherry-605 001.
 2. The District Collector,
Office of the District Collector,
Petaiyachathiram, Puducherry.
 3. The Sub-Collector (South),
Office of the Sub-Collector,
Villianur, Puducherry-605 110.
 4. Thiru.S.Gunasekaran .. Respondents

Writ Petition filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Mandamus to direct the respondents 1 to 3 to take action against the fourth respondent based on the petitioner's representation dated 22.10.2019 and 07.09.2020 respectively by producing the residence certificate illegally obtained from the third respondent on 14.12.2000 to cancel / revoke the residence certificate which was issued by the third respondent on 14.12.2000 to the fourth respondent illegally.

For petitioner : M/s.R.Kalaiyarasi

For respondents: Mrs.G.D.Jearany,

Govt. Advocate (Puducherry) for RR-1 to 3



ORDER

This Writ Petition is filed praying for issuance of a Writ of Mandamus to direct the respondents 1 to 3 to take action against the fourth respondent based on the petitioner's representation dated 22.10.2019 and 07.09.2020 respectively, by producing the Residence Certificate illegally obtained from the third respondent on 14.11.2000, to cancel / revoke the Residence Certificate which was issued by the third respondent on 14.11.2000 to the fourth respondent illegally.

2. The present Writ Petition has been filed to take action against the fourth respondent. According to the petitioners, the fourth respondent is working in the same Department where the petitioners are working. It appears that the petitioners have an axe to grind against the fourth respondent. According to the petitioners, the fourth respondent cheated the Government by furnishing a fabricated statement that he was a resident of Puducherry for five consecutive years. The petitioners have come up with the facts in support of their allegations against the fourth respondent. The entire affidavit filed in support of the Writ Petition, contains several facts relating to the conduct of the fourth respondent. According to the petitioners, despite their representations, no action has been taken against the fourth respondent, and therefore, they are before this Court by filing the present Writ Petition for the relief stated supra.

3. This Court is unable to countenance or appreciate the averments made in the affidavit filed in support of the Writ Petition, for the simple reason that the Jurisdiction of this Court under Article 226 of the Constitution of India, cannot be invoked for the purpose of settling personal scores between the parties. If the petitioners have any grievance against any person employed in their Department, it is for them to work out their remedy in the manner known to law and certainly, it is not open to the petitioners to invoke the Jurisdiction of this Court under Article 226 of the Constitution of India. Such a remedy is not to be made available for personal fight between the petitioners and the fourth respondent.

4. This Court's Jurisdiction cannot be made available for such motivated elements to use this Jurisdiction for advancing their personal agenda. Such motivated and mischievous litigations need to be discouraged. The Jurisdiction of this Court cannot be allowed to be sullied by persons who approach this Court for advancing their illegitimate cause for serving their own ends.



5. With the above observations, the Writ Petition is dismissed. No costs. Consequently, W.M.P.No.26904 of 2021 is closed.

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Sd/-
Assistant Registrar(CS VII)

//True Copy//

Sub Assistant Registrar

CS

To

1. The Union of India,
Represented by the Chief Secretary to Government,
Government of Puducherry,
Chief Secretariat,
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Puducherry-605 001.
2. The District Collector,
Office of the District Collector,
Petaiyachathiram, Puducherry.
3. The Sub-Collector (South),
Office of the Sub-Collector,
Villianur, Puducherry-605 110.

+1 cc to M/s.R.Kalaiyarasi, Advocate Sr.NO. 64619

+1 cc to Government Pleader Sr.NO. 64616

W.P.No.25456 of 2021

KSM(CO)

A.SK(21.12.2021)