



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 15.12.2021

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THE HONOURABLE MR.JUSTICE V.PARTHIBAN

W.P. NO.26686 OF 2021

N.Sarvaraju

...Petitioner

Vs

1. The District Collector,
Namakkal District, Namakkal.
2. The Tahsildar,
Sendamangalam Taluk,
Namakkal District.
3. M.Muthu Mani

...Respondents

PRAYER : Petition filed under Article 226 of the Constitution of India praying for the issuance of Writ of Mandamus directing the 1st and 2nd respondents to consider and pass orders on the representation of the petitioner dated 18.4.2021 to initiate all sort of action against the 3rd respondent who is continuing in the government service by giving fraudulent certificates regarding his date of birth before the authorities concerned.

For Petitioner : Mr.K.A.Mariappan

For Respondents : Mr.L.S.M.Hasan Fazal
Additional Government Pleader
- R1 & R2

ORDER

The strange grievance of the petitioner in this Writ Petition is that the third respondent and the petitioner are classmates in the same school and was employed in the Government service. Though the petitioner has retired on 30.04.2014, the third respondent is continuing in the government service. According to him, he should have also retired in 2014, as both of them belonged to the same age group. According to the petitioner, he has collected evidence to show that the



petitioner had been illegally continuing in service, but the official respondents are not inclined to take any action against him.

2. In the said circumstances, he is before this Court with the prayer for issuance of Writ of Mandamus directing the official respondents to initiate action against the 3rd respondent for the production of fraudulent age certificate.

3. This Court is unable to countenance the prayer of the petitioner for the simple reason that the petitioner must be having an axe to grind against the third respondent for he being continued in government service as against the fact the petitioner stood retired from service in 2014. The petitioner is presumably attempting to settle his personal scores with the third respondent by maliciously invoking the constitutional jurisdiction of this Court.

4. This Court is not inclined to issue any direction at the instance of the petitioner, who appeared to be ill motivated and filed the present Writ Petition with oblique motive to take vengeance on the third respondent for some personal reasons.

5. These kinds of Writ Petitions ought not to be entertained even for a second and such malicious litigations must be deprecated and discouraged. This Writ Petition is therefore dismissed. No costs.

Sd/-

Assistant Registrar(CS-VIII)

//True Copy//

Sub Assistant Registrar

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To

1. The District Collector,
Namakkal District, Namakkal.
2. The Tahsildar,
Sendamangalam Taluk,
Namakkal District.

+1cc to the Government Pleader, S.R.No.67535

W.P. No.26686 of 2021

RLD(CO)

RLP(05/01/2022)