



WEB COPY

**W.P.(MD).No.12006 of 2021**

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 19.07.2021

CORAM:

**The Hon'ble Mr.JUSTICE T.S.SIVAGNANAM**

**AND**

**The Hon'ble Mrs.JUSTICE S.ANANTHI**

**W.P. (MD) .No.12006 of 2021**

**and**

**W.M.P (MD) .No.9455 of 2021**

J.Ramesh Babu

...Petitioner

Vs.

1.State of Tamil Nadu

Through its Secretary to Government,  
Personnel Department,  
Fort St.George,  
Chennai-9.

2.The Secretary to Government,  
School Education Department,  
State of Tamil Nadu,  
Fort St.George,  
Chennai-9.

3.The District Collector,  
Ramanathapuram District,  
Ramanathapuram.

... Respondents

**PRAYER:** Writ Petition filed under Article 226 of the Constitution of India, praying for the issuance of writ of Mandamus to directing the respondents to forbear the Government Servants/Teachers from holding managerial, administrative and Executive Posts such as members of Managing Committee and Executive Committee in Ramnad District Branch of Red Cross Society based on the representation, dated 29.06.2021.

For Petitioner : Mr.T.A.Ebenezer

For Respondents : Mr.A.K.Manickkam,  
Standing Counsel for Government

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**O R D E R**

[Order of the Court was made by **T.S.SIVAGNANAM, J.**]

We have heard Mr.T.A.Ebenezer, learned counsel appearing for the petitioner, Mr.A.K.Manickkam, learned Standing counsel appearing for the respondents.

<https://hcs.judges.courts.gov.in/hcservices>



2.The petitioner seeks for a direction upon the respondents to forbear the Teachers and Government servants from holding Managerial, Administrative and the Executive posts as members of the Managing Committee of the Ramanathapuram District Red Cross Society.

3. There appears to be certain other motive against the present litigation. In any event, we are of the view that being a member of the Indian Red Cross Society, which was established by an Act of Central Legislation Passed in the year 1920, may add value to the institution or the department where the concerned person is serving.

4.The grievance of the petitioner is that those Teachers and Government servants are holding Executive posts and carrying on activities of the Red Cross Society at Ramanathapuram District, during working hours, for which they are receiving salary from the Government. If that is so, then it is for the concerned employer or management of the School/ Government servant, who has to take action against the Teachers for dereliction of duty. If permission has been granted by the employer or management of the School/Government servant, then we cannot direct the respondents herein to take action against those members.

5. That apart, though the petitioner has expressed grievance with regard to the India Red Cross Society, Ramanathapuram branch, he has not named any person, who according to him are performing dual function. Therefore, we find that we cannot entertain this writ petition as a "Public Interest Litigation".

6.Accordingly, this writ petition is dismissed. No costs. Consequently, connected miscellaneous petition is also dismissed.

Sd/-

Assistant Registrar (CS-I)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

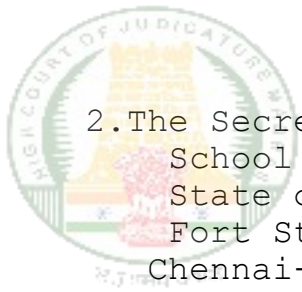
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Note : In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

To

1.The Secretary to Government,  
Personnel Department,  
Fort St.George, Chennai-9.

<https://hcservices.ecourts.gov.in/hcservices/>



2.The Secretary to Government,  
School Education Department,  
State of Tamil Nadu,  
Fort St.George,  
Chennai-9.

3.The District Collector,  
Ramanathapuram District,  
Ramanathapuram.

+1 CC to M/s.GP ( SR-23340[F] dated 20/07/2021 )

**W.P. (MD) .No.12006 of 2021**

**19.07.2021**

RD(30.07.2021) 3P 5C