



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 10.08.2021

CORAM:

THE HONOURABLE MR.JUSTICE N.KIRUBAKARAN

and

THE HONOURABLE MR.JUSTICE M.DURAI SWAMY

W.P(MD)No.13964 of 2021

and

W.M.P(MD)No.10907 of 2021

K.K.Ramesh

... Petitioner

Vs.

1.The Union of India

Rep. by its Principal Secretary to Prime Minister,
Prime Minister's Office,
South Block,
Raisina Hill,
New Delhi-110 001.

2.The Union of India

Rep. by its Home Secretary,
Ministry of Home Affairs,
North Block,
New Delhi-110 001.

3.The Union of India

Rep. by its Secretary,
Ministry of Finance,
Department of Economic Affairs,
Room No.39-B,
New Delhi-110 001.

4.The Union of India

Rep. by its Secretary,
Ministry of Cultural,
502-C, Shastri Bhawan,
New Delhi-110 001.

5.The Governor

Reserve Bank of India,
Central Office Building,
Shahid Bhagat Singh Marg,
Mumbai - 400 001.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Certiorarified Mandamus, to call for the records pertaining to the third respondent impugned order F.No.11/2/2021 CY dated 12th July, 2021 quash the same and direct the first respondent to instruct the respondents to print the



photo of National Leader Nethaji Subash Chandra Bose in the Indian Currencies to satisfy the voices of people.

For Petitioner : Mr.K.K.Ramesh
(Party-in-Person)
For Respondents : Mrs.L.Victoriya Gowri,
Assistant Solicitor General of India

ORDER

(Order of the Court was made by **N.KIRUBAKARAN, J.**)

What is the use of printing images of Great Leaders, who fought for our Independence without following their principles, in currency notes?; merely because the portrait of Mahatma Gandhi is appearing in the currency, does it mean that the currency is used only for legal purposes. Whether the currency should have the portrait of a particular leader or otherwise is the policy of the Government.

2.The petitioner has come before this Court challenging the order passed by the third respondent, by which, the petitioner's claim for printing the image of Nethaji Subash Chandra Bose in the currency notes have been rejected.

3.According to the petitioner, Nethaji Subash Chandra Bose is a Great Leader fought for Independence of our Country. He has given in detail about the works of Great Nethaji Subash Chandra Bose and how he contributed for Independence to our Country. Therefore, the petitioner thought that if the image of Nethaji Subash Chandra Bose is printed in the currency note that will be a tribute paid to this great leader. Therefore, the petitioner has given a representation on 20.01.2021 and thereafter, filed Writ Petition in W.P(MD)No.1837 of 2021. The said Writ Petition was disposed of by this Court on 04.02.2021. Pursuant to the direction given by this Court, the impugned order has been passed rejecting the petitioner's claim.

4.Mr.K.K.Ramesh, the petitioner, who appeared in person, would submit that Nethaji Subash Chandra Bose is a great leader founded Indian National Army and fought for Independence of our Country. Therefore, Nethaji Subash Chandra Bose image should be printed in the currency note as is being done for Mahatma Gandhi.

5.No doubt, this Court by order dated 04.02.2021 directed the authorities to consider the petitioner's representation and pass appropriate orders. Paragraph Nos.4 and 5 of the order read as follows:-

"4.We need not say anything on the greatness of Nethaji, apart from the contribution made, which starts from his resignation from the coveted post to the



creation of Indian National Army. His contribution towards the Indian Freedom movement is unparalleled.

5.Though we are of the view that prayer as sought for cannot be granted, one cannot ignore the great sacrifice made by the great leader and the persons, who served along with him. History of the nation will have to be told and retold again and again for the posterity to remember. Thus, keeping in view of the judicial constraint, we are not in a position to accede to the request made by the petitioner. However, we would only call upon the respondents 1 to 4, as the case may be, to consider the said request made."

6.Pursuant to the direction given by this Court only, the impugned order has been passed and the impugned order, dated 12.07.2021 is extracted hereunder:-

"I am directed to refer Hon'ble Madras High Court's Order, dated 04.02.2021 on the subject cited above, wherein the Hon'ble Court had called upon the Government of India to consider your request for printing of photograph of Nethaji Subhash Chandra Bose on Indian Bank note and your representation dated 20.01.2021 and 18.02.2021, and to state that on the advice of the Government of India, the Reserve Bank of India (RBI) had constituted a Committee in October, 2010 for designing future currency notes. The Committee, inter alia, deliberated on the issue of changing the existing image of Mahatma Gandhi and inclusion of certain other personalities in the new design of bank notes. After due consideration, the Committee decided that no other personality could better represent the ethos of India than Mahatma Gandhi, and whose portrait it decided to retain on the obverse and on the watermark. The above recommendation of the Committee has been accepted by the Ministry of Finance.

2.This issues with the approval of Competent Authority."

7.It is evident from the impugned order that on the advice of the Government of India, a Committee was constituted by the Reserve Bank of India in October, 2010 for designing future currency notes and the Committee deliberated on the issue of changing the existing image of Mahatma Gandhi and inclusion of certain other personalities in the new design of Bank notes. However, the Committee decided that no other personality could better represent the ethos of India than Mahatma Gandhi and therefore, no other personality image was decided



to be included in the currency note. The Committee report has been accepted by the Ministry of Finance, thereby rejecting the claim of the petitioner.

8.This Court is not underestimating the fight and sacrifice made by Nethaji Subash Chandra Bose and other great leaders for freedom moment of this Country. There are many known heroes and unsung heroes. If everybody starts making such a claim there will not be an end. Moreover, recent days, there are claims and counter claims based on religion, community and region. If every claim is started to be entertained, there will not be any end. The Central Government as well as Reserve Bank of India have already constituted a Committee and took a decision that it is only the father of the Nation Mahatma Gandhi could represent the ethos of India and therefore, it was decided to retain the Mahatma Gandhi's image in the currency notes and no other personality image is decided to be included. The said decision cannot be found fault with. It is only the Government which can take a decision and this Court cannot substitute the views stated in the Committee report which has been accepted by the Government. Therefore, the impugned order cannot be said to be illegal and therefore, the Writ Petition is dismissed. No costs. Consequently, connected Miscellaneous Petition is closed.

Sd/-

Assistant Registrar (T&P)

// 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 Principal Secretary to Prime Minister,
Union of India,
Prime Minister's Office,
South Block,
Raisina Hill,
New Delhi-110 001.



2.The Home Secretary,
The Union of India,
Ministry of Home Affairs,
North Block,
New Delhi-110 001.

3.The Secretary,
The Union of India,
Ministry of Finance,
Department of Economic Affairs,
Room No.39-B,
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4.The Secretary,
Union of India,
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502-C, Shastri Bhawan, New Delhi-110 001.

5.The Governor
Reserve Bank of India,
Central Office Building,
Shahid Bhagat Singh Marg,
Mumbai - 400 001.

+1 CC to M/s.K.K.RAMESH, Advocate (SR-25964[F]
dated 11/08/2021)

W.P (MD) No.13964 of 2021
10.08.2021

GC(03.09.2021) 5P 7C