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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 13.06.2022

CORAM

THE HONOURABLE MR.JUSTICE ABDUL QUDDHOSE

W.P.NO.11155 OF 2022

R.S.Mohanraj
Bharathiya Janatha Party
7/183, Ramachandrapuram,
Anikadavu Village - 642 120,
Tiruppur District.

... Petitioner

Vs.

1. Union of India
rep. by its Home Secretary,
New Delhi.
2. The Chief Secretary,
Government of Tamil Nadu,
Fort St.George, Chennai.
3. The District Collector,
Tiruppur District,
Tiruppur.
4. The Superintendent of Police,
Tiruppur District,
Tiruppur.

... Respondents

Prayer :

Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus, directing the respondents to consider the petitioner's representation dated 10.01.2022 for keeping the Photos of Hon'ble President and Hon'ble Prime Minister in all Local Bodies such as Panchayat Union Office, Block Development Office, Cooperative Society Bank and Ration Shops etc., within the time that may be fixed by this Hon'ble Court.

For Petitioner : Mr.P.Ayyaswamy



For Respondents: Mr.B.Vijay, [R2 & R3]
Additional Government Pleader
Mr.R.Murthi, [R4]
Government Advocate (Crl. Side)

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ORDER

The petitioner has filed this Writ Petition seeking for a Mandamus to consider his representation dated 10.01.2022, requesting the respondents to keep the photographs of the Hon'ble President and Hon'ble Prime Minister in all local bodies such as Panchayat Union Office, Block Development Office, Cooperative Society Bank and Ration Shops etc., within the time frame to be fixed by this Court.

2. The learned Additional Government Pleader appearing for the second and third respondents opposes the entertainment of this Writ Petition on the ground that the petitioner is an interloper and has no locus standi to file this Writ Petition. He would also submit that the Government Order which is relied upon by the learned counsel for the petitioner, was earlier considered by a Division Bench of this Court on 07.04.2021.

3. In the order dated 07.04.2021 passed by the Division Bench of this Court, G.O. (Standing) No.457, Public (General-1) Department, dated 04.06.2006, which is relied upon by the learned counsel for the petitioner, was considered. In the said decision, the Division Bench held that the option to keep photographs of national leaders mentioned in the said G.O., is not mandatory. Since the relevant Government notification referred to by the learned counsel for the petitioner, does not make it mandatory for all Government buildings to carry the photographs of the persons indicated therein, it was held that it will be for the individual Government Offices to deal with the matter in accordance with law.

4. The petitioner is a resident of Anikadavu Village, Tiruppur District. However, the relief sought for in this Writ Petition, is in the nature of a public interest litigation. The petitioner seeks for an omnibus direction from this Court in respect of the entire State. Such a prayer, if at all can be granted, only by a Division Bench is a public interest litigation.

5. The learned counsel for the petitioner would now submit that if liberty is granted by this Court, the petitioner will file a fresh Writ Petition, restricting his rights only to the village where he is residing namely Anikadavu Village. The said submission is recorded.



6. Without expressing any opinion on the merits of the matter, this Writ Petition is disposed of, by granting liberty if so advised, to file a fresh Writ Petition for the same cause of action, restricting the petitioner's right only to Anikadavu Village. No costs.

Sd/-
Assistant Registrar(CS VIII)

//True Copy//

Sub Assistant Registrar

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To

1. The Home Secretary,
Union of India,
New Delhi.
2. The Chief Secretary,
Government of Tamil Nadu,
Fort St.George, Chennai.
3. The District Collector,
Tiruppur District,
Tiruppur.
4. The Superintendent of Police,
Tiruppur District,
Tiruppur.

+lcc to Mr.P.Ayyaswamy, Advocate, S.R.No.35165
+lcc to Mr.A.Arunkumar, Advocate, S.R.No.35166
+lcc to the Government Pleader, S.R.No.35367

W.P.No.11155 of 2022

SKM(CO)
PM/23/06/2022
PM/28/06/2022