



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.06.2022

CORAM :

THE HON'BLE MR.MUNISHWAR NATH BHANDARI, CHIEF JUSTICE

AND

THE HON'BLE MRS.JUSTICE N.MALA

W.P.No.11880 of 2022

J.Mohanraj

...Petitioner-in Person

Vs

The Director,
Directorate of Vigilance and Anti Corruption,
Alandur, Chennai-600 016.

.. Respondent

Prayer : Petition filed under Article 226 of the Constitution of India praying for a writ of mandamus directing the respondent to consider and act on petitioner's representation dated 9.3.2022 regarding the mess in the Pradan Mandri Awaas Yojana (Gramin, Housing).

For the Petitioner : Mr.J.Mohanraj
Petitioner-in-person

ORDER

(Order of the Court was made by the Hon'ble Chief Justice)

The writ petition has been filed to seek a direction for consideration of the representation dated 9.3.2022 submitted by the petitioner regarding alleged mess in Pradan Mandri Awas Yojana (Gramin, Housing).

2. The petitioner in person submits that based on the details provided to him, out of 287 beneficiaries under the aforesaid scheme, 42 do not have either father or husband name



and the 43rd column is left blank. It is further stated that out of the sanction list of 114 beneficiaries, 40 do not have either father or husband name and for three persons, the column is left blank. In view of the above, the petitioner seeks a thorough investigation regarding the construction of houses and the factors mentioned above. The representation further states that not even a single house was constructed under the above scheme.

3. If, as per the allegation in the representation, not even a single house is constructed under the above scheme and still beneficiaries were identified, then non-existence of the father or husband name is not so significant, rather non-existence of the houses for allotment becomes relevant. However, no document has been produced to show that not a single house has been constructed for allotment.

4. A public interest litigation cannot be used to seek factual information. The petitioner ought to have sought information under the provisions of the Right to Information Act, 2005. Without availing of such remedy, the petitioner has rushed to this Court by filing a public interest litigation to collect information. The petitioner, appearing in person, without making any research seeks this Court to make a fishing and roving enquiry.

5. The document produced to show the sanction list is an unsigned document and in the opening paragraph of the representation of the petitioner dated 2.8.2021, it is stated that "details provided in the above reference". The aforesaid should mean that some details were called for by the petitioner and had been furnished. A reference of an application under the Right to Information Act, 2005 has been given in the pleadings, but no document has been enclosed to substantiate the same. If the application under the Right to Information Act, 2005 was filed by the petitioner, it should have been placed on record to find out as to what was the information sought and received. It is more so, when the sanction list of beneficiaries does not contain any signature, but is rather unsigned. If the sanction list is downloaded from the internet, then the statement of fact to that effect should have been made in the writ petition, but it refers to an application under the Right to Information Act, 2005. Whenever information is sought under the Right to Information Act, 2005, the same is furnished by the Information Officer under his signature.



6. This public interest litigation has been filed without any material to substantiate the allegations made in the representation and, therefore, cannot be entertained by this court. Accordingly, the writ petition is dismissed. However, with liberty to the petitioner to file a fresh writ petition if he obtains information to substantiate the allegations levelled in the representation. No costs.

Sd/-
Assistant Registrar(CCC)

//True Copy//

Sub Assistant Registrar

sasi

To:

The Director,
Directorate of Vigilance and Anti Corruption,
Alandur, Chennai-600 016.

+1cc to the Government Pleader, S.R.No.33143

W.P.No.11880 of 2022

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