



WEB COPY



W.P.No.17524 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12.07.2022

CORAM :

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

AND

THE HON'BLE MRS.JUSTICE N.MALA

W.P.No.17524 of 2022

P.S.Deivakumar

.. Petitioner

Vs.

1. State, Rep. by its Director
Directorate of Vigilance & Anti Corruption
No.293, M.K.N. Road
Alandur, Chennai 600 016.

2. The Deputy Superintendent of Police
Vigilance & Anti Corruption
No.18, Kaliamman Koil Street
Near A.R.S.M. School
Manjakuppam, Cuddalore 1.

3. Kamaraj

.. Respondents

Prayer: Petition filed under Article 226 of the Constitution of India praying for a writ of Mandamus directing the respondents 1 and 2 to consider the representation given by the petitioner dated 15.03.2022 within the time fixed by this Hon'ble Court.



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For the Petitioner : Mr.M.Padmanaban
For the Respondents : Mr.P.Muthukumar
State Government Pleader
for Respondents 1 & 2

ORDER

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

The writ petition has been filed seeking a direction to the first and second respondents to consider the representation given by the petitioner on 15.03.2022.

2. The writ petitioner alleged that the third respondent swindled the funds of the Government allotted for free housing scheme. It was stated that those who had not completed the construction, have been sanctioned the amount of Rs.1.70 lakh and therefore, there was a mass misappropriation of money.

3. The allegation aforesaid has been made pursuant to the



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information given to the petitioner under right to information pertaining to Cuddalore District. The list of beneficiaries with status has been given. According to the petitioner, the construction is not complete by many beneficiaries, yet, the total amount has been given to them.

4. However, the petitioner has not named those beneficiaries who had been extended first a sum of Rs.10,000/-, followed by Rs.1.70 lakh, but not constructed the house. Thus, the writ petition suffers from vagueness and has been filed without a proper research.

5. The filing of public interest litigation without proper research and in a casual manner has been deprecated by the Supreme Court time and again. The Apex Court in ***B.P. Singhal v. State of T.N. [(2004) 13 SCC 673]***, while dealing with a public interest litigation, dismissed it on the ground that it lacked material particulars and the averments made were by and large based merely on newspaper reports and not with personal knowledge.



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6. In matters of Public Interest Litigation, the Supreme Court has time and again cautioned that the Court has to be satisfied about (a) credentials of the petitioner; (b) prima facie correctness or nature of information given by him; and (c) the information should not be vague and indefinite. In the case on hand, the averments are vague and unsubstantiated.

7. The Apex Court in the case of ***S.P. Anand v. H.D.Deve Gowda [(1996) 6 SCC 734]***, held that a person filing a public interest litigation owes it not only to the public, but also to the Court that he does not rush to the Court without undertaking any research to raise the issues in the public interest litigation. The Apex Court warned that *"a good cause can be lost if petitions are filed on half-baked information without proper research or by persons who are not qualified and competent to raise such issues as the rejection of such a petition may affect third party rights."*

8. In the light of the above and looking to the facts of this



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case, the direction sought by the petitioner cannot be granted, as the writ petition suffers from vagueness. Accordingly, this writ petition is dismissed. There will be no order as to costs.

(M.N.B., CJ.) (N.M., J.)
12.07.2022

Index : Yes/No

kpl

To:

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M.N.BHANDARI, CJ
AND
N.MALA,J.

(kpl)

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