



W.P(MD)No.832 of 2020

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 27.07.2022

WEB COPY

CORAM:

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

AND

THE HONOURABLE MRS.JUSTICE S.ANANTHI

W.P(MD)No.832 of 2020

A.Irulandy

.. Petitioner

Vs

- 1.Union of India,
Represented by its Secretary,
Ministry of Social Justice & Empowerment,
Room No.202, 2nd Floor, C-Wing,
Shastri Bhawan,
New Delhi – 110 001.
- 2.State of Tamilnadu,
Fort St. George,
Chennai – 9,
Represented by its Chief Secretary.
- 3.The Chairman,
Railway Board,
Rail Bhawan,
New Delhi – 110 001.
- 4.The Secretary,
Department of Municipal Administration and Water Supply,
Fort St. George,
Chennai – 9.



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5.The Secretary,
Department of Rural Development and Panchayat Raj,
Fort St. George, Chennai – 9.

6.The Secretary,
Environment and Forest Department,
Government of Tamilnadu,
Fort St. George, Chennai – 9.

7.The Commissioner of Municipal Administration,
Government of Tamilnadu,
4th Floor, Urban Administrative Building,
78, Santhome High Road,
Chennai – 28.

8.The Director of Rural Development and Panchayat Raj,
Panagal Building 4th and 5th Floor,
Saidapet, Chennai – 600 015.

.. Respondents

Writ Petition filed under Article 226 of the Constitution of India
praying for issuance of a Writ of Mandamus, directing respondents
1 to 3 to file a “Status Report” on action taken on the basis of ruling of
the Hon'ble Supreme Court reported in (2014) 11 SCC 224.

For Petitioner	:	Mr.T.S.R.Venkataramana
For Respondents	:	Mr.S.Jeyasingh for R1 Senior Central Government Counsel

Mr.S.R.A.Ramachandran
Additional Government Pleader
for R2 & R4 to R8

No appearance for R3



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ORDER

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

The writ petition was filed to seek a status report on the action taken in reference to the judgment of the Hon'ble Apex Court in the case of ***Safai Karamchari Andolan and others v. Union of India and Others*** reported in ***(2014) 11 SCC 224***.

2. The learned counsel for the petitioner submits that despite a specific direction of the Honourable Apex Court in the case of ***Safai Karamchari Andolan and others v. Union of India and Others (supra)***, the respondents have not taken action and therefore, a representation was made to call for a status report. When it was not furnished, the writ petition was filed and accordingly, the respondents be directed to place on record the status report in compliance to the judgment of the Hon'ble Apex Court.

3. We have considered the submissions made by counsels and perused the judgment of the Hon'ble Apex Court.



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4. Paragraph No.24 of the said judgment is quoted for ready reference:

"24. In the light of various provisions of the Act referred to above and the Rules in addition to various directions issued by this Court, we hereby direct all the State Governments and the Union Territories to fully implement the same and take appropriate action for non-implementation as well as violation of the provisions contained in the Act 2013. Inasmuch as the 2013 Act occupies the entire field, we are of the view that no further monitoring is required by this Court. However, we once again reiterate that the duty is cast on all the States and the Union Territories to fully implement and to take action against the violators. Henceforth, persons aggrieved are permitted to approach the authorities concerned at the first instance and thereafter the High Court having jurisdiction."

5. The Hon'ble Apex Court had given liberty to the person aggrieved to approach the authority concerned at the first instance and thereafter the High Court having jurisdiction. The petitioner first not falling under the category of person aggrieved and otherwise, he did not approach the authorities in reference to any violation rather call upon to seek status report.



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6. In view of the above, we do not find any reason to keep this writ petition pending rather ordered to be closed with liberty to the person aggrieved to first approach the authority concerned and then the High Court having jurisdiction and accordingly, the writ petition is closed. No Costs.

(M.N.B., CJ.) (S.A.I., J.)
27.07.2022

Index :Yes/No
pm-sj/1

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- 2.The Chief Secretary,
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Fort St. George, Chennai – 8.

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M.N.BHANDARI, CJ.
and
S.ANANTHI, J.

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