



W.P.(MD)No.15044 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 14.07.2022

CORAM:

THE HONOURABLE MR.JUSTICE P.N.PRAKASH

AND

THE HONOURABLE Mrs. JUSTICE R.HEMALATHA

W.P.(MD)No.15044 of 2022

D.Boominathan

: Petitioner

Vs.

- 1.The Under Secretary
Office of the Health and Family Welfare (Training Division)
Nirman Bhavan
South Block, Secretariat
New Delhi.
- 2.The Chairman
Gandhigram Institute of Rural Health and Family Welfare Trust,
Soundaram Nagar,
Gandhigram Post,
Dindigul District
- 3.The Director
Vigilance and Anti Corruption Unit
Radhakrishnan Salai
Chennai.
- 4.The Principal Accountant General (Audit II)
Office of the Principal Accountant General (Audit I)
G;s Office (Audit) Complex,
361 Anna Salai
Rostrevor Garden



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Teynampet, Chennai

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5.The Assistant Director,
State Government Audit Department
171/C1 Baby Illam
Siluvathur Road,
Balakrishnapuram (Po)
Dindigul

6.The District Collector
Office of the District Collector,
Dindigul, Dindigul District

7.The Chairman
Finance Committee
Gandhigram Institute of Rural Health and Family Welfare/
Managing Trustee, Gandhigram Trust,
Dindigul 624 302.

8.Seethalakshmi
The Director,
Gandhigram Institute of Rural Health and Family Welfare,
Gandhigram Trust, Gandhigram
Dindigul 624 302

: Respondents

PRAYER: Petition is filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus to direct the respondents to consider the representation of the petitioner dated 18.03.2020 to enquire into the same and to take action against the Director of the Gandhigram Institute of Rural Health and Family Welfare Trust, Dindigul.

For Petitioner	: Mr.S.Ramsundarvijayraj
For Respondents	: Mr.B.Narayanram for R1
	Central Government Standing counsel
	Mr.V.Karthikeyan for
	Mr.V.Vijayshankar for R2, R7 & R8



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Mr.SRA.Ramachandran for R3 to R6
Additional Government Pleader

ORDER

(Order of the Court was made by P.N.PRAKASH, J.)

Alleging that the 8th respondent has been appointed in violation of Rules, the petitioner gave a representation dated 18.03.2020 and has thereafter filed the present writ petition for a direction to the respondents to dispose of the said representation.

2. In the opinion of this Court, a writ of mandamus could be issued to perform a public duty cast upon the officials. If the 8th respondent has been appointed in violation of the Rules, the remedy to the petitioner is not Public Interest Litigation, but a writ of Quo Warranto. Hence, a direction cannot be issued to the respondents to dispose of the petitioner's representation. Accordingly, the writ petition is dismissed. No costs.

[P.N.P., J.] & [R.H., J.]
14.07.2022

Internet : Yes
RR



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To

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Dindigul District

2. The Director

Vigilance and Anti Corruption Unit
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3. The Principal Accountant General (Audit II)

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P.N.PRAKASH, J
AND
R.HEMALATHA, J
RR

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