



W.P.(MD)No.15393 of 2021

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 06.11.2023

C O R A M

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

W.P.(MD)No.15393 of 2021

and

W.M.P.(MD)Nos.12291 of 2021 and 10870 of 2022

Robin Edward

... Petitioner

-VS-

1. State of Tamil Nadu,
Through its Principal Secretary to Government,
Personnel and Administrative Reforms Department,
Secretariat, Fort St. George,
Chennai – 9.
- 2.The Principal Secretary,
Social Welfare Department, Secretariat,
State of Tamil Nadu, Fort St. George,
Chennai – 9.
- 3.The Principal Secretary
Horticulture Department, State of Tamil Nadu,
Secretariat, Fort St. George, Chennai – 9.
- 4.The Principal Secretary,
Public Health and Preventive Medicine Department,
State of Tamil Nadu,
Fort St. George, Chennai - 9.



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5.The Principal Secretary,
Higher Education Department,
State of Tamil Nadu,
Fort St. George, Chennai - 9.

6.The District Collector,
Kanyakumari District at Nagercoil.

7.Church of South India Trust Association,
CIN No.U93090TN1947NPL000346,
No.5 Whites Road, Royapettah, Chennai - 14.

8.The Church of South India,
No.5 Whites Road,
Royapettah, Chennai - 14.

9.The District Minister (Paris Priest),
C.S.I. S.T.Mankad District Church,
Kanavilai, S.T.Mankad Post,
Kanyakumari District.

10.The Bishop,
C.S.I. Diocese Office,
Nagercoil,
Kanyakumari District.

11.P.Godwin Vetha Gnanaraj

12.R.Gnana Dayasingh

13.Merlin D.Vasantha

14.Dr.J.Ebenezer

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India,
to issue a Writ of Mandamus, directing the respondents 1 to 6 to take



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appropriate action as against the respondents 11 to 14 by considering the petitioner's representation dated 23.07.2021 in the light of the Rule 14-A of the Tamil Nadu Government Servants Conduct Rules and also in the light of the judgment of this Court in W.P.(MD) No.18943 of 2020, dated 22.12.2020.

For Petitioner	:	Mr.M.R.Sreenivasan
For R1 to R6	:	Mr.A.K.Manikkam Special Government Pleader
For R7 and R8	:	Mr.B.Mahaboob Athiff
For R9	:	Mr.V.M.Balamohan Thambi
For 10	:	No Appearance
For R11, R12 and R14	:	Mr.S.C.Herold Singh
For R13	:	Mr.Brijesh Kishore

ORDER

This Writ Petition has been filed for issuance of Writ of Mandamus, directing the respondents 1 to 6 to take appropriate action as against the respondents 11 to 14, by considering the petitioner's representation, dated 23.07.2021.

2. Heard the learned counsel appearing for the parties.



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3. The issue involved in the present Writ Petition was already dealt with by this Court in W.P.(MD)No.12151 of 2021 and the Division Bench of this Court passed the following order on 18.07.2023.

"The prayer in the writ petition is for issuance of a Writ of Mandamus, directing the respondents 1 and 2 to take appropriate disciplinary action against the Government Servants working in various Government Departments, Government Schools, Cooperative Departments and other aided schools excepting CSI getting salary from the Government Exchequer contesting election and holding posts in respondents 3 to 5 based on the petitioner's representation dated 07.06.2021.

2. *Alleging disobedience of the order made in W.M.P(MD)No.9569 of 2021 in W.P(MD)No.12151 of 2021, dated 20.07.2021, the contempt petition is filed.*

3. *This Court finds that the prayer in the writ petition does not go well with the statements contained in the pleadings. While the petitioner seeks a direction in respect of all Government Servants working in various Government Departments, Government Schools, Co-operative Departments and other aided schools excepting CSI, restraining them from contesting for posts in C.S.I Diocese, the allegations are made only against the respondents 3 to 5 about the affairs in relation to CSI. Therefore, this writ petition is primarily*



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filed against persons who are not made as parties. It is also stated that writ petitions with similar prayer in W.P(MD)Nos.10132 of 2015, 9860 of 2018 & 18943 of 2020 were dismissed by a Division Bench of this Court by a common judgment dated 29.10.2021 and that the SLP filed against the said order was also dismissed confirming the aforesaid judgment of the Division Bench.

4. Therefore, the Writ Petition is devoid of any merits and hence it is dismissed. No costs. Connected miscellaneous petition is closed. In view of the dismissal of the writ petition, the contempt petition is also dismissed."

4. In view of the above, the relief sought for by the petitioner in this Writ Petition cannot be granted by this Court and accordingly, this Writ Petition stands dismissed. No costs. Consequently, connected Miscellaneous Petitions are closed.

NCC : Yes/No
Index : Yes/No
smn2

06.11.2023



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To

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Public Health and Preventive Medicine Department,
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- 5.The Principal Secretary,
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- 6.The District Collector,
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N.ANAND VENKATESH, J.

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