



W.P.No.4632 of 2017

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 07.11.2024

CORAM :

THE HON'BLE MR.K.R.SHRIRAM, CHIEF JUSTICE

AND

THE HON'BLE MR.JUSTICE SENTHILKUMAR RAMAMOORTHY

W.P.No.4632 of 2017

M.Vetri Selvan

.. Petitioner

Vs

1.Union of India,
rep. by the Secretary,
Ministry of Home Affairs,
North Block,
New Delhi-110 001.

2.Shri Sadhguru Jaggi Vasudev,
Founder-Managing Trustee,
Isha Foundation,
Velliangiri Foothills,
Semmedu Post,
Coimbatore-641 114.

.. Respondents

Prayer : Petition filed under Article 226 of the Constitution of India seeking issuance of a writ of mandamus directing respondent No.1 Union of India to consider the representation of the petitioner dated 2 February 2017



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requesting revocation of Padma Vibhushan Award 2017 conferred on respondent No.2 and decide the same in accordance with law.

For Petitioner : Mr.M.Radhakrishnan

For Respondents : Mr.AR.L.Sundaresan
Addl. Solicitor-General of India
assisted by
Mr.Venkataswamy Babu
CGSC
for respondent No.1

: No appearance
for respondent No.2

ORDER

(Order of the Court was made
by SENTHILKUMAR RAMAMOORTHY,J.)

The petitioner was a 34 year old advocate at the time of institution of the writ petition. The writ petition has been styled as a “*public interest litigation*”. The second respondent was awarded the Padma Vibhushan in the year 2017. The petitioner seeks consideration of a representation for the revocation of such Award.

2. The classical rules of *locus standi* were diluted through orders of



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the Apex Court, so as to enable larger public causes to be espoused on behalf of persons who are unable to speak for themselves. By way of illustration, mention may be made of under-trial prisoners, pavement dwellers and the like. Whether this case falls within the scope of public interest litigation has to be examined.

3. On examining the averments in the affidavit in support of this writ petition, it is noticeable that the entire writ petition is directed against one individual, namely, the second respondent. The basis for seeking revocation of the Award is primarily that a lock and seal and demolition notice was issued by the Deputy Director of Town and Country Planning, Coimbatore Region, on 24.12.2012. The affidavit does not set out any details of developments subsequent to the issuance of the notice.

4. Learned counsel for the petitioner referred to and relied upon an order dated 18.8.2023 in W.P.No.3556 of 2017 [*Vellingiri Hill Tribal Protection Society, rep. by its President P.Muthammal v. Union of India, rep. by Secretary to Government, Ministry of Environment and Forest, New*

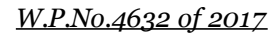


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Delhi and others] to contend that the Joint Director, District Town and Country Planning was directed to consider the documents submitted by the petitioner and respondent No.12 therein and take further steps expeditiously with regard to the building, if it is not in accordance with the plan and the no objection certificate. Apart from this, learned counsel refers to a recent order of the Apex Court [*Isha Foundation v. S.Kamaraj and others, Petition(s) for Special Leave to Appeal (Crl.) No(s) 13992/2024, decided on 18.10.2024*], which is not referred to in the affidavit and, therefore, cannot be taken into consideration.

5. Learned Additional Solicitor-General of India responded to these contentions by outlining the procedure followed before the award of any Padma Award to a recipient. He pointed out that the Padma Awards Committee examines these applications and thereafter forwards the list of the chosen candidates to the Prime Minister and the President for taking a final decision. He also points out that inputs from all appropriate investigative and other agencies are made available to the Padma Awards Committee. Therefore, he submits that the writ petition is devoid of merit.



“The Padma Awards Committee is constituted by the Prime Minister every year. It is headed by the Cabinet Secretary and includes Home Secretary, Secretary to the President and four to six eminent persons as members.

While no rigid criteria or trenchant formula for selection is applied by the Padma Awards Committee, it looks for life time achievement of an individual while making a selection. There ought to be an element of public service in the achievements of the person to be selected. The award is given for 'special services' and not merely for long service. It should not be merely excellence in a particular field, but the criteria has to be excellence plus.

Persons selected for the awards are subjected to verification by the investigating agencies of the Government with a view to ensuring that their character and antecedents are above board.

The Padma Awards are conferred on the recommendations made by the Padma Awards Committee, which are submitted to the Prime Minister and the President for approval.

The Awards are announced on the eve of the Republic Day every year."



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7. In the counter-affidavit of the first respondent, at paragraphs 8 and 9, it is stated as under:

“8. I Respectfully submit that the name of Sadhguru Jagadish Vasudev was sent to the Central Investigating/Intelligence agencies for verification. None of the agencies gave any adverse input about him. After taking into consideration of the reports of the above said agencies, the Padma Award Committee recommended the name of Sadhguru Jagadish Vasudev along with others to the Hon'ble President of India for approval. After the approval, the names were announced for Padma Awards on the eve of Republic Day, 2017 (i.e., 25.01.2017), Sadhguru Jagadish Vasudev from Tamil Nadu was conferred Padma Vibhushan Award in the field of Spiritualism.

9. I Respectfully submit that the referred representation dated 02.02.2017 of the petitioner regarding revoking of Padma Vibhushan Award on Sadhguru Jagadish Vasudev was received only after the announcement of the Padma Awards on the eve of Republic Day, 2017. The representation of the petitioner was examined in consultation with the Central Investigating/Intelligence agencies. There was no adverse input from any of the agencies against Sadhguru Jagadish Vasudev. Also, the Writ Petitions referred by the petitioner in his representation (W.P.No.5885 of 2013 and W.P.No.16583 of 2013) were subjudice in the Hon'ble Court. Hence, no further action was considered necessary in the case.”



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8. On examining the above documents and pleadings, we are *prima facie* satisfied that the selection process was adhered to while deciding to confer the Award on the second respondent. As stated at the outset, unless the petition is directed at a larger public cause, there is no reason to dilute the rule of *locus standi* and consider such petition in the exercise of discretionary jurisdiction. In the facts and circumstances outlined above, we see no reason to interfere.

9. For the reasons set out above, W.P.No.4632 of 2017 is dismissed without any order as to costs.

(K.R.SHRIRAM, C.J.)

(SENTHILKUMAR RAMAMOORTHY, J.)

07.11.2024

Index : Yes/No

NC : Yes/No

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To:
The Secretary,
Union of India,
Ministry of Home Affairs,
North Block,



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New Delhi-110 001.

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THE HON'BLE CHIEF JUSTICE
AND
SENTHILKUMAR RAMAMOORTHY,J.

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