



WP No.33774 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 05.12.2024

CORAM

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

AND

THE HON'BLE MR.JUSTICE SENTHILKUMAR RAMAMOORTHY

WP No.33774 of 2024

G.GOVINDARAJ

: Petitioner

versus

1.THE COLLECTOR

O/o THE COLLECTORATE,
RAJAJI SALAI, CHENNAI - 01.

2.THE MEMBER SECRETARY

CHENNAI METRO POLITICIAN DEVELOPMENT AUTHORITY (CMDA)
GANDHI IRWIN ROAD,
EGMORE CHENNAI-08.

3.THE COMMISSIONER

GREATER CHENNAI CORPORATION,
RIPON BUILDING, CHENNAI- 03.

4.THE TASILDAR

O/O.THE TASILDAR, MAMBALAM TALUK,
K.K.NAGAR, CHENNAI-78.

5.THE ASSISTANT ENGINEER

ZONE-10 GREATER CHENNAI CORPORATION



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NSK SALAI, KODAMBAKKAM,
CHENNAI- 24.

6.DR.A.SRINIVASAN PARAMASIVAM

: RESPONDENTS

Prayer: Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus directing respondents 1 to 5 consider and act upon 2nd respondent notice date 27.07.2024 within a time-frame.

For Petitioner : Mr.K.Seetharam

For Respondents 1, 4 : Mr.A.Edwin Prabhakar,
State Government Pleader
assisted by Mr.M.Habeeb Rahman,
Government Advocate

For Respondents 3, 5 : Mr.A.Arun Babu,
Standing counsel

For Respondent No.2 : Ms.P.Veena Suresh
Standing Counsel

ORDER

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

Petitioner appears to be a professional litigant, who thrives on making false statements on oath.



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2. The same petitioner had filed a public interest litigation in WP No.31985 of 2024, against the same private respondent with regard to a banyan tree. The allegation was that the tree was pushed down using a JCB. That petition came to be disposed vide order dated 07.11.2024. WP No.31985 of 2024 was filed in September 2024. The date is not mentioned. In September, 2024, again, without mentioning the date, the present public interest litigation has been filed by the same petitioner against the same private respondent.

3. Very cleverly an averment is made, “I state that in this regard, I have not filed any public interest litigation as on today and this is the first public interest litigation”.

4. It will be useful to reproduce paragraph 10 of a judgment of the Bombay High Court in ***Kundana Kumar Lal vs. Capgemini India Pvt.***



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Ltd and others¹.

“10. In *T. Arivandandam v. T.V.Satyapal*, (1977) 4 SCC 467, the Apex Court observed as under:

“If on a meaningful-not formal-reading of the plaint it is manifestly vexatious and meritless in the sense of not disclosing a clear right to sue, it should exercise its power under Order VII Rule 11 CPC taking care to see that the ground mentioned therein is fulfilled if clever drafting has created the illusion of a cause of action, the Court must nip it in the bud at the first hearing by examining the party searchingly under Order X, CPC. An activist judge is the answer to irresponsible law suits.””

5. In September 2024, against the same private respondent, two public interest litigations have been filed. It is quite clear that petitioner is only targeting the private respondent and using the machinery of this Court for his personal agenda.

6. Petition dismissed with costs. Petitioner shall pay a sum of Rs.1,00,000/- (Rupees One lakh only) as cost.

¹ 2019 SCC Online Bom 6771



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7. At this stage, counsel for petitioner states that the cost may not be imposed and he has instructions to give an undertaking on behalf of petitioner that petitioner shall not file any public interest litigation against any party for the next two years.

8. In view thereof we recall the order regarding imposition of cost.
Undertaking accepted.

(K.R.SHRIRAM, CJ.)

(SENTHILKUMAR RAMAMOORTHY, J.)

05.12.2024

Index : Yes/No
Neutral Citation : Yes/No
tar

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