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W.P.(MD) No.12412 of 2016

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 23.01.2024

CORAM:

**THE HONOURABLE MR.JUSTICE D.KRISHNAKUMAR
and
THE HONOURABLE MR.JUSTICE R.VIJAYAKUMAR**

**W.P.(MD) No.12412 of 2016
and
W.M.P.(MD) No.6471 of 2017**

K.K.Ramesh

... Petitioner

-VS-

- 1.The Government of India
rep.by its Home Secretary
Ministry of Home Affairs
New Delhi
- 2.The Government of India
rep.by its Foreign Secretary
Ministry of External Affairs
New Delhi
- 3.Government of India
rep.by its Principal Secretary
Ministry of Human Resource Department
Shastri Bhawan, C-Wing
Dr.Rajendra Prasad Road
New Delhi-110 001



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4.The Government of Tamilnadu
rep.by its Home Secretary
Secretariat, Chennai

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a writ of mandamus directing the respondents to constitute a Board or some Agency comprising of Central and State Governments, Higher Officials in such a way that only through the control and supervision and superintendence of such Agency all Tamilnadu Labourers should be taken abroad for employment to prevent atrocities committed on them by the foreign employers and also to ensure minimum standard of living and occupation by considering the petitioner's representation dated 14.06.2016.

For Petitioner : Mr.T.R.Subramanian
for Mr.S.M.Mohamed Salim

For Respondents : No appearance for R1 to R3
Mr.N.Satheesh Kumar
Additional Government Pleader for R4

ORDER

[Order of the Court was made by D.KRISHNAKUMAR, J.]

Prayer in these *pro bono publico* is to direct the respondents to constitute a Board or some Agency comprising of Central and State



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Governments, Higher Officials in such a way that only through the control and supervision and superintendence of such Agency, all Tamilnadu Labourers should be sent abroad for employment to prevent atrocities committed on them by the foreign employers and also to ensure minimum standard of living and occupation by considering the petitioner's representation dated 14.06.2016.

2. On a careful perusal of the materials available record, we find no material to show that the petitioner has filed this writ petition under the guise of public interest litigation as per the parameters laid down by the Honourable Supreme Court in the case of **Guruvayoor Devaswom Managing Committee vs. C.K.Rajan**, reported in **(2003) 7 SCC 546** and the subsequent decisions of the Honourable Supreme Court in the case of **Ashok Kumar Pandey vs. State of West Bengal and others**, reported in **(2004) 3 SCC 349**, **Neetu vs. State of Punjab**, reported in **(2007) 1 SCC 614** and **State of M.P. vs. Narmada Bachao Andolan**, reported in **(2011) 7 SCC 639**. In such circumstances, we are not inclined to entertain the present writ petition.



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3. Accordingly, the writ petition is dismissed. No costs.

Consequently, connected miscellaneous petition is closed.

[D.K.K., J.]

[R.V., J.]

23.01.2024

NCC : Yes / No

Index : Yes / No

Internet : Yes / No

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To:

- 1.The Home Secretary,
Ministry of Home Affairs,
Government of India,
New Delhi.
- 2.The Foreign Secretary,
Ministry of External Affairs,
Government of India,
New Delhi.
- 3.The Principal Secretary,
Ministry of Human Resource Department,
Government of India,
Shastri Bhawan, C-Wing,
Dr.Rajendra Prasad Road,
New Delhi-110 001.
- 4.The Home Secretary,
Government of Tamilnadu,
Secretariat, Chennai.



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and
R.VIJAYAKUMAR, J.

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