



W.P(MD)No.9186 of 2025

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 02.04.2025

CORAM:

**THE HONOURABLE MRS.JUSTICE J.NISHA BANU
and
THE HONOURABLE MRS.JUSTICE S.SRIMATHY**

W.P(MD)No.9186 of 2025

S.Sathishkumar

... Petitioner

VS.

1.The Regional Officer,
National Highways Authority of India,
2 & 3 Floors, Viajayakrishna Plaza,
No.1, Lake Area,
Melur Main Road,
Madurai.

2.The Deputy Manager,
Hindustan Petroleum Corporation Limited,
No.19, 2nd Floor, M.D.S.R. Enclave,
Bharathidasan Road,
Cantonment,
Trichy – 1.

... Respondents

PRAYER : Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus directing the respondents herein to shift the existing petrol bunk from at KM 124.683 KM 124.722 in NH 67 Thuvakudy Village in Thiruverumbur Taluk, Trichy to any other suitable place



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WEB COPY by considering the representation given by the petitioner dated 31.01.2025 within the time stipulated by this Court.

For Petitioner : Mr.V.Malaiyendran

For R - 2 : Mr.R.G.Karthick

ORDER

(Order of the Court was made by J. NISHA BANU, J.)

It is the grievance of the petitioner that his representation dated 31.01.2025, to shift the existing petrol bunk from at KM 124.683 KM 124.722 in NH 67 Thuvakudy Village in Thiruveryumbur Taluk, Trichy to any other suitable place, is kept pending till date without any progress. Therefore, he has filed this Writ Petition with the aforesaid prayer.

2.Heard the learned counsel appearing for the petitioner and Mr.R.G.Karthick, learned counsel, who takes notice the second respondent.

3.On perusal of the entire affidavit filed in support of this petition, it is seen that the petitioner has not given any details and particulars with regard to



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his grievance and he has not satisfied the parameters as held by the Hon'ble Supreme Court in ***Ashok Kumar Pandey vs. State of West Bengal and others*** reported in **(2004) 3 SCC 349**, wherein the Supreme Court at paragraph No.16, held as follows:-

*“16. As noted supra, a time has come to weed out the petitions, which though titled as public interest litigations are in essence something else. It is shocking to note that courts are flooded with a large number of so-called public interest litigations, whereas only a minuscule percentage can legitimately be called as public interest litigations. Though the parameters of public interest litigation have been indicated by this Court in a large number of cases, yet unmindful of the real intentions and objectives, courts at times are entertaining such petitions and wasting valuable judicial time which, as noted above, could be otherwise utilized for disposal of genuine cases. Though in *Duryodhan Sahu (Dr) v. Jitendra Kumar Mishra* (1998) 7 SCC 273, this Court held that in service matters PILs should not be entertained, the inflow of the so-called PILs involving service matters continues unabated in the courts and strangely are entertained. The least the High Courts could do is to throw them out on the basis of the said decision. This tendency is being slowly permitted to percolate for setting in motion criminal law jurisdiction, often unjustifiably just for gaining publicity and giving adverse publicity to their opponents. The other interesting*



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aspect is that in the PILs, official documents are being annexed without even indicating as to how the petitioner came to possess them. In one case, it was noticed that an interesting answer was given as to its possession. It was stated that a packet was lying on the road and when out of curiosity the petitioner opened it, he found copies of the official documents. Apart from the sinister manner, if any, of getting such copies, the real brain or force behind such cases would get exposed to find out whether it was a bona fide venture. Whenever such frivolous pleas are taken to explain possession, the court should do well not only to dismiss the petitions but also to impose exemplary costs, as it prima facie gives impression about oblique motives involved, and in most cases shows proxy litigation. Where the petitioner has not even a remote link with the issues involved, it becomes imperative for the court to lift the veil and uncover the real purpose of the petition and the real person behind it. It would be desirable for the courts to filter out the frivolous petitions and dismiss them with costs as aforesaid so that the message goes in the right direction that petitions filed with oblique motive do not have the approval of the courts.”

4.Public interest litigation is an extremely important jurisdiction exercised by the Supreme Court and the High Courts. The Apex Court in ***Neetu v. State of Punjab, (2007) 1 SCC 614***, held that when a particular person is the



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object and target of a petition styled as public interest litigation, the Court has to be careful to see whether the attack in the guise of public interest is really intended to unleash a private vendetta, personal grouse or some other *mala fide* object.

5. That apart, in State of ***M.P. Vs. Narmada Bachao Andolan, (2011) 7***

SCC 639, the Apex Court has held as follows:-

"13. Strict rules of pleading may not apply in PIL, however, there must be sufficient material in the petition on the basis of which the court may proceed.

The PIL litigant has to lay a factual foundation for his averments on the basis of which such a person claims the reliefs. The information furnished by him should not be vague and indefinite. Proper pleadings are necessary to meet the requirements of the principles of natural justice. Even in PIL, the litigant cannot approach the court to have a fishing or roving enquiry. He cannot claim to have a chance to establish his claim. However, the technicalities of the rules of pleading cannot be made applicable vigorously. Pleadings prepared by a layman must be construed generously as he lacks the standard of accuracy and precision particularly when a legal wrong is caused to a determinate class."



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WEB COPY 6. In the light of the above decisions, we are not inclined to entertain this

Writ Petition. Accordingly, this Writ Petition stands dismissed. No costs.

[J.N.B.,J.] & [S.S.Y.,J.]
02.04.2025

NCC : Yes / No
Index : Yes / No
Internet : Yes
ps



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ORDER MADE IN
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