

7. In the instant case, petitioner belongs to Hindu Sambava Community in the State of Tamil Nadu, which is a scheduled Caste recognised in that State. The situation that we get in the State of Tamil Nadu with respect of that caste or community is different from that we get in the State of Kerala. There are many communities included in the list of Scheduled Castes/Scheduled Tribes in the State of Tamil Nadu, which do not find a place in the State of Kerala. Those candidates eventhough included as Scheduled Castes/Scheduled Tribes are not eligible to apply in response to the notification in the State of Kerala, though those candidates have settled down in the State of Kerala on various grounds. The petitioners position would be the same but for the fact that the Sambava community to which she belongs is included in the list of SCs in the State of Kerala. Therefore, to confer the benefit on the petitioner would be a case of treating the two equals as unequal which is discriminatory. As far as one person who originally belongs to SC/ST in one State cannot derive the benefit in another State, petitioner is also not entitled to the benefit eventhough her community is included in the list of Scheduled Castes in the State of Kerala. She is entitled to the benefit of her community only in the State of Tamil Nadu, and not in the State of Kerala. The stand taken by the Public Service Commission is not discriminatory and violative of Articles 14 and 16 of the Constitution of India.

For the above mentioned reasons, Original Petition fails and the same is accordingly dismissed.

Dismissed.

1996 (1) KLT 59

P.A. Mohammed J.

Employees of Hindusthan Latex Ltd. v. State of Kerala

Constitution of India, Art. 226 - Anonymous complaints or petitions received by court shall not be entertained as 'letter O.P's' involving public interest litigations, under Art. 226.

The principle of 'locus standi' presupposes the presence of a person or body of persons who suffered a legal injury. In all the public interest litigation cases the person or body of persons who moves the court for relief is well-known and certain. Thus the public interest litigation petitions are always synonymous with authority. The anonymous complaints or petitions forwarded to this court shall not be entertained as 'Letter O.Ps.' Involving public interest litigations, under Article 226 of the Constitution. The practice of entertaining anonymous complaints/letters as writ petitions under Article 226 of the Constitution has to be totally restrained in the interest of maintaining the well recognised court procedure existing now. If this practice is allowed to be continued, this court will face with cornucopia of such complaints/letters every day which will ultimately paralyse the entire judicial system.

(Paras. 7 & 8).

AIR 1982 S.C. 149; 1987 (2) S.C.C. 295;
1985 (3) S.C.C. 169; 1992 (4) S.C.C. 305 &
1994 (2) KLT SN 30 P.23

Relied on