

WRITE PETITION -----ARTICLE 226.

IN THE HON'BLE HIGH COURT OF DELHI AT

NEW DELHI

Extraordinary Original Civil Jurisdiction

WRIT PETITION (CIVIL) NO.____ OF 2017

IN THE MATTER OF:-

DEEPAK AGGARWAL ...PETITIONER
VERSUS UNION OF INDIA &
ORS. ...RESPONDENTS

MEMO OF PARTIES

1. DEEPAK AGGARWALS/O LATE OM PRAKASH AGGARWAL

R/O, SEC 13, ROHINI, DELHI

-110085...PETITIONER

VERSUS

1. UNION OF INDIA, THROUGH MINISTRY OF HOME AFFAIRS,
THROUGH ITS JOINT SECRETARY, NORTH BLOCK CENTRAL
SECRETARIAT, NEW DELHI-110001...RESPONDENT NO. 1

2. PROF. YOGESH K TYAGI, VICE CHANCELLOR
PATRON OF DUSU, UNIVERSITY OF DELHI, DELHI -
110007...RESPONDENT NO. 2

3. NEW DELHI MUNICIPAL COUNCIL, THROUGH ITS
CHAIRMAN (NDMC HEAD OFFICE) PALIKA KENDRA, PARLIAMENT
STREET, NEW DELHI-110001...RESPONDENT NO. 3

4. COMMISSIONER OF POLICE –
DELHI POLICE HEADQUARTERS, M.S.O BUILDING, NEW DELHI-
110002...RESPONDENT NO. 4

Hence, this present Writ Petition.

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To,

THE HON'BLE CHIEF JUSTICE &

HIS COMPANION JUSTICES OF THIS HON'BLE COURT

THE HUMBLE PETITION OF THE PETITIONER ABOVE-
NAMED MOST RESPECTFULLY SHOWETH:

1. That the Writ Petitioner has no personal interest in the litigation. The Petition is not guided by self-gain or for gain of any other person/institution/body and that there is no motive other than of public interest in filing the Writ Petition.

2. That the petitioner who is an advocate by profession is heart wrenched at the defacement of public properties across all quarters of Delhi in the wake of the upcoming DUSU elections as also owing to the manifest ineptness of the concerned authorities to curtail the aforesaid menace was constrained to undertake a painstaking direct and indirect research through the internet from 2013 to present & field surveys of students in person with a view to find out the measures taken by the concerned authorities to set the law into motion.

However, astonishingly it has been found that the said nefarious practices have been carried out inordinately with

complete impunity, wherein the concerned authorities have been only a mute spectator to the students' grievances and public spirited citizens in every consecutive year. The same also gets underpinned by the statements issued by the senior officers of the concerned authorities to the Leading News, whereupon they have doggedly cited their helplessness to put an end to the menace, instead passing the buck onto the connected authorities. [The copies of newspaper reports are appended as Annexure.

3. That the petitioner upon noticing the blatant violation of the law by the aforesaid candidate captured photographs of the defacements and destruction of public property across various parts of the city. [The copies of photographs are appended as Annexure

4. That the petitioner has preferred the instant writ petition under Article 226 of the Constitution of India seeking directions in the nature of writ of mandamus directing the respondents to candidates participating Delhi University Student's Election (hereinafter referred as "DUSU"), 2017 from soiling the walls, Public properties, private shops with the use of ink, chalk, paint and/or poster across the city as this does not cohere with the surrounding have thereby strong bearing on the appearance or beauty, further as the same is done in a public place, is

an eyesore to the viewers, and violates Fundamental Right under Article

21 by robbing the citizens of clean and beautiful environment and surroundings free from any defacement further it also results in irrational, arbitrary exercise of their student election candidature and thus, violation of Article 14 and 21 of the Constitution

5. That since the Respondents 1 to 4 have failed to discharge their statutory and constitutional obligations the Petitioner does not have any other alternative and equally efficacious remedy and is constrained to file the instant Writ Petition in the nature of a PIL, on the following amongst other