

UNDER ARTICLE 32 OF THE CONSTITUTION OF
INDIA 1950
CIVIL ORIGINAL JURISIDICIION
PUBLIC INTEREST LITIGATION
WRIT PETITION (CIVIL) NO..... OF 2019

IN THE MATTER OF

Hindu Dharma Parishad,

Rep. by K.K.Ramesh,

Managing Trustee,

..... PETITIONER

VERSUS

The Union of India & ors

.... RESPONDENTS

PAPER BOOK
(INDEX PLEASE SEE INSIDE)

ADVOCATE FOR PETITIONER :NARENDER KUMAR VERMA

LISTING PROFORMA
IN THE SUPREME COURT OF INDIA

SECTION: PIL

The case pertains to:

Central Act (Title)	:	Indian constitution
Section/ Article	:	32
Central Rule (Title)	:	N.A.
Rule No(s).	:	N.A.
State Act (Title)	:	N.A.
Section	:	N.A.
State Rule (Title)	:	N.A.
Rule No(s).	:	N.A.
Impugned Interim Order (Date)	:	N.A.
Impugned Final Order / Decree (Date)	:	NA
High Court (Name)	:	NA
Name of Judges	:	NA
Tribunal / Authority (Name)	:	N.A.

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- | | | | | |
|----|----------------------|------------------------------|--------------|----------------------------|
| 1. | Nature of the matter | : | CIVIL | |
| 2. | (a) | Petitioner / Appellant No.1 | : | K.K.RAMESH |
| | (b) | Email I.D. | : | Ramesh123@gmail.com |
| | (c) | Mobile phone number | : | 9650134838 |
| 3. | (a) | Respondent No.1 | : | UNION OF INDIA |
| | (b) | Email I.D. | : | N.A. |
| | (c) | Mobile phone number | : | N.A. |
| 4. | (a) | Main category classification | : | 18 civil |

	(b) Sub-classification	:	1807 others	
5.	Not to be listed before	:	N.A.	
6.	a) Similar disposed of matter with citation, if any, & case details:	:	No similar matter pending	
	b) Similar pending matter with case details:		No similar matter pending	
7.	Criminal Matters:			
	(a) Whether accused / convict has surrendered	:	N.A.	
	(b) FIR No.	:	N.A.	
	Date	:	N.A.	
	(c) Police Station	:	N.A.	
	(d) Sentence Awarded	:	N.A.	
	(e) Sentence Undergone	:	N.A.	
8.	Land Acquisitions Matters:			
	(a) Date of Section 4 notification	:	N.A.	
	(b) Date of Section 6 notification	:	N.A.	
	(c) Date of Section 17 notification	:	N.A.	
9.	Tax matters:			
	State the tax effect	:	N.A.	
10.	Special Category (first Petitioner / Appellant only)	:	Senior citizen > 65 years SC / ST Woman / Child Disabled Legal Aid case In custody	} N.A.
11.	Vehicle Number (in cases of Motor Accident Claim matters)	:	N.A.	

Date: 19/9/2019

NARENDER KUMAR VERMA

ADVOCATE FOR PETITIONER,

C.C. NO.2103, PHONE. 9650134838, SCBA-LIB-1

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	dated 16.03.1984.			
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SYNOPSIS

That the present Writ Petition is being filed as Public Interest Litigation, under Article 32 of the Constitution of India by the petitioner seeking issue writ of mandamus or any other appropriate Writ or Order or Direction or any suggestion or observation or particularly in the nature of Writ by giving direction to the respondent No 1 to 37 to make strict rules and form guidelines against the agitation and procession by political parties or any organization religious or non religious all over India.

IN THE SUPREME COURT OF INDIA
CIVIL ORIGINAL JURISDICTION
UNDER ARTICLE 32 OF THE CONSTITUTION OF INDIA 1950
PUBLIC INTEREST LITIGATION
CIVIL WRIT PETITION No..... of 2020

IN THE MATTER OF:

Hindu Dharma Parishad,
Rep. by K.K.Ramesh,
Managing Trustee,
No.26A, Old Mahalipatti Road,
Madurai – 625 001.

Tamil Nadu

..... Petitioner

VERSUS

1. The Union of India,
Rep. by its Home Secretary,

Ministry of Home Affairs,
North Block,
New Delhi

2. The Union of India,
Rep. by Secretary,
Ministry of Law and Justice,
Union Secretariat,
New Delhi
3. The State of Andhra Pradesh Through the Secretary
Home Department Secretariat,
Amaravathi, Andhra Pradesh.
4. The State of Arunachal Pradesh Through the Secretary
Home Department Secretariat
Itanagar, Arunachal Pradesh.
5. The State of Assam Through the Secretary
Home Department Secretariat, Dispur, Assam.
6. The State of Bihar Through the Secretary
Home Department Secretariat Patna, Bihar.
7. The State of Chhattisgarh Through the Secretary
Home Department Secretariat, Raipur, Chhattisgarh.
8. The State of Goa Through the Secretary
Home Department Secretariat, Panaji, Goa.
9. The State of Gujarat Through the Secretary
Home Department Secretariat, Gandhinagar, Gujarat.

10. The State of Haryana Through the Secretary
Home Department Secretariat, Chandigarh, Haryana.
11. The State of Himachal Pradesh Through the Secretary
Home Department Secretariat,
Shimla, Himachal Pradesh.
12. The State of Jammu & Kashmir Through the Secretary
Home Department Secretariat, Srinagar,
Jammu & Kashmir.
13. The State of Jharkhand Through the Secretary
Home Department Secretariat, Ranchi, Jharkhand.
14. The State of Karnataka Through the Secretary
Home Department Secretariat, Bangalore, Karnataka.
15. The State of Kerala Through the Secretary
Home Department Secretariat,
Thiruvananthapuram, Kerala.
16. The State of Madhya Pradesh Through the Secretary
Home Department Secretariat,
Bhopal, Madhya Pradesh.
17. The State of Maharashtra Pradesh Through the Secretary,
Home Department Secretariat, Mumbai, Maharashtra Pradesh.
18. The State of Manipur Through the Secretary
Home Department Secretariat, Imphal, Manipur.

19. The State of Meghalaya Through the Secretary
Home Department Secretariat, Shillong, Meghalaya.
20. The State of Mizoram Through the Secretary
Home Department Secretariat, Aizawl, Mizoram.
21. The State of Nagaland Through the Secretary
Home Department Secretariat, Kohima, Nagaland.
22. The State of Odisha (Orissa) Through the Secretary
Home Department Secretariat, Bhubaneswar, Odisha
23. The State of Punjab Through the Secretary
Home Department Secretariat, Chandigarh, Punjab.
24. The State of Rajasthan Pradesh Through the Secretary
Home Department Secretariat,
Jaipur, Rajasthan Pradesh.
25. The State of Sikkim Through the Secretary
Home Department, Secretariat, Gangtok, Sikkim.
26. The State of Tamil Nadu Through the Secretary
Home Department Secretariat, Chennai, Tamil Nadu.
27. The State of Telangana Through the Secretary
Home Department Secretariat, Hyderabad, Telangana.
28. The State of Tripura Through the Secretary
Home Department Secretariat, Agartala, Tripura.
29. The State of Uttar Pradesh Through the Secretary

Home Department Secretariat, Lucknow, Uttar Pradesh.

30. The State of Uttarakhand Through the Secretary
Home Department Secretariat, Dehradun, Uttarakhand.
31. The State of West Bengal Through the Secretary
Home Department Secretariat, Kolkata, West Bengal.
32. The State of Chandigarh Through the Secretary
Home Department Secretariat, Chandigarh.
33. The State of Dadra and Nagar Haveli
Through the Secretary
Home Department Secretariat, Silvassa,
Dadra and Nagar Haveli.
34. The State of Daman and Diu Through the Secretary
Home Department Secretariat, Daman, Daman and Diu.
35. The State of Lakshadweep Through the Secretary
Home Department Secretariat, Kavaratti, Lakshadweep.
36. The State of Delhi Through the Secretary
Home Department Secretariat, Delhi.
37. The State of Puducherry Through the Secretary
Home Department Secretariat,
Pondicheery, Puducherry.

WRIT PETITION UNDER ARTICLE 32 OF THE CONSTITUTION

**OF INDIA IN THE NATURE OF A PUBLIC INTEREST
LITIGATION SEEKING AN APPROPRIATE WRIT IN THE
NATURE OF MANDAMUS.**

TO,

THE HON'BLE CHIEF JUSTICE AND

THE OTHER COMPANION JUDGES OF

THE HON'BLE SUPREME COURT OF INDIA

HUMBLE PETITION OF THE
PETITIONER ABOVE NAMED

MOST RESPECTFULLY SHOWETH:-

1. That the present Writ Petition is being filed as Public Interest Litigation, under Article 32 of the Constitution of India by the petitioner seeking issue writ of mandamus or any other appropriate Writ or Order or Direction or any suggestion or observation or particularly in the nature of Writ by giving direction to the respondent No 1 to 37 to make strict rules and form guidelines against the agitation and procession by political parties or any organization religious or non religious all over India.
2. That the petitioner states the Managing Trustee, Hindu Dharma Parishad and as such I am well acquainted with the facts and circumstances of the case. I submit that the object

of the trust is that the trust will strive to achieve the following objectives to all irrespective of caste, creed, religion, area, sex, etc.,

To stop the conversion of Hindu poor people by flirt words and money by other religions. Receiving complaints on violation of Hindus Fundamental Rights and teach Human Rights laws to Hindu community people and also news about Fundamental rights and Human Rights Violation from T.V. Daily News papers and monitor the areas about Hindus health problem where thickly populated. The Hindu Dharma Parishad will encourage the people to know about truths in Hinduism, Fundamental Rights and violations of Human Rights. The findings will be reported to Higher Officials in this regard to take action. If not, filing Public Interest Litigation (PIL) petitions will be filed before High Court and Supreme Court of India to get remedy to the victims. The Hindu Dharma Parishad will serve for the poor and down trodden people of Hindus with free of cost and not for any personal gain.

3. That the petitioner states not having any exclusive personal interest in filing the present Writ Petition. I have not filled any suit or any other Writ Petition before any of the Courts for the relief now sought for in this Writ Petition or any Public Interest

Litigation seeking very same relief. I have filed the present Writ Petition by spending my personal funds and I am not intended for personal gain or oblique motive and if this Hon'ble Court later finds that the relief sought for in the present Writ Petition is for any personal gain or motive, I undertake to pay the cost if any ordered by this Hon'ble court.

4. That the petitioner states the Hindu Dharma Parishad is doing may free social services to the poor and suppressed people by way of teaching Human Rights and taking steps to the downtrodden from the violators of Human Rights. I am a NGO and doing small social services from the meager income of Rs.10000/- derived from my ink business. The permanent Account Number (PAN) of the Hindu Dharma Parishad is AACTH1291E and Aadhar card No. 449883412957 and I am not a Income Tax Assessee.
5. That the petitioner states that the citizenship Amendment act 2019 No.47 of 2019 has been implemented for the interest of our nation to take strong action on the terrorists and Anti Social elements because for the past several years terrorism has been spending all over India and explosion sound has been heard every day. Lakhs and lakhs of other national

people have been crossed. Into India boundaries and they have started to live in India especially northern states. West Bengal, Assam, Mizoram the illegal migrants population has been increased more than the people living in Assam. The assamese people culture is being spoiled and west Bengal people Identity also have been spoiled then entire nations culture have been spoiled. The illegal migrants have spread to Tamil Nadu also.

6. That the petitioner states that some states in India are opposing the citizenship Amendment Bill 2019 No.47 of 2019 and resisting to implement the bill in their legislative Assembly for the reason of political gain. It is the bounden duty of state Govts to execute the bill if it is passed in parliaments.

7. That the petitioner the constitution of India is the prime law of India and it came in force from 26th January, 1950. Our Constitution is the Lengthiest Constitution in the world. The Constitution of India is a fundamental law and any other laws enacted by the Parliament and the states legislatures are subject to the constitution of India. the Constitution of India bifurcate the sovereign functions and entrusted the same with as specified in the Constitution. The parliament of India and

states legislatures, Executive and Judiciary are three pillars of the constitution.

8. That the petitioner the Article 246 of the Constitution bifurcate the enacting powers between the parliament of India and the State Legislatures. Hence, the parliament of India is having power to enact laws in respect of the matters enumerated in List 0 1, Schedule VII of the Constitution of India. The state Legislatures are having powers to enact the laws in respect of the matters specified in list II, schedule VII of the constitution of India. Further, the parliament and the state Legislatures are having powers to enact the laws in respect of matters enumerated in list III, schedule VII of the Constitution of India, it is called as "Doctrine of Occupied field". Once the Parliament enacted any laws in a particular matter, the state Legislature has no power to enact law for same matter. While enacting the law, the parliament directs the state legislatures or the Executive to do anything in specified manner, the state Legislatures and its executives shall follow the same unscrupulously.
9. That the petitioner the parliament of India is having wide power to enact laws and amend the constitution of India and at the same time, the parliament of India has no power to alter

the basic structure of the Constitution in view of the Hon'ble Apex court's decision in the Kesavananda Bharati case. once, the law is enacted and come into force, the Central and state Government's Executives shall execute the law as specified in that law. If they failed to discharge their duty or exceeds their powers to see that whether the executives acted subject to the provisions of the law or not. In case, the parliament and the state Legislatures enact any law, which is against any of the provision of the constitution of India, the supreme Court and the high courts are having power to declare such law as null and void and ultravirus the constitution of India. hence, the judiciary is touchstone of the constitution and the laws.

10. That the petitioner that some state and national political parties and some anti social organizations with the help of foreign hands are inducing the innocent people by paying money and briyani and encouraging them to do agitation and riot all over India.
11. That the petitioner some month back the Hon'ble Supreme court passed an order and made an amendment in the SC & ST Act some political parties induced the people and anti social elements and some organizations revolted and made riots and damaged humdereds of cores of valued public

properties. Many people were died in the riot. Such type of this riots thereon the supreme court and court.

- 12) That the petitioner that some months back in Hariyana state one saint was awarded life imprisonment. Antisocial elements under the guise as devotees gathered and turned as rioters and set on fire hundreds of crores of valued public properties were damaged. The govt sent additional reinforcement and tried to quell the riots. In some places the police imposed curfew and started open fire on the rioters. It shows danger to India's soverngnity.

- 13) That the petitioner that some States are opposing the Citizenship (Amendment) Act – 2019 No.47 of 2019 and has requested not to enforce in their states and also inducing the uneducated and minority people to make riot and arson and making fire and torching the Government properties and caused crores and crores valued public properties were damaged. Everyday there are indulging arson and riot backed by some anti national political parties and threatening the Government to withdraw the bill by using in a terror way if it continues Indian democracy and its power will be only on papers and no one can enforce it. The Government have to use iron hand and they have to quell the riot

- 14) That the petitioner that States are opposing the Citizenship (Amendment) Act – 2019 No.47 of 2019 Our Constitution is the Lengthiest Constitution in the world. The Constitution of India is a fundamental law and any other laws enacted by the Parliament and the states legislatures are subject to the constitution of India. the Constitution of India bifurcate the sovereign functions and entrusted the same with as specified in the Constitution. The parliament of India and states legislatures, Executive and Judiciary are three pillars of the constitution

- 15) That the petitioner state that the for Hindu Dharma Parishad registered on 22.07.2019 in Registrar of Madurai, Tamil Nadu and that document has power to founder cum managing trustee to filed the Hindu Dharma Parishad.

- 16) That the petitioner state that the petitioner address is Hindu Dharma Parishad represented by K.K.Ramesh, Managing Trustee, No.26A, Old Mahalipatti Road, Madurai – 625 001, Tamil Nadu.

- 17) That the state the petitioner occupation is own business as ink sell and the most time service to people and income One lakhs Twenty thousand per annual PAN card No. AACTH1291E and the petitioner is not tax payers.
18. That the petitioner K.K.Ramesh and his father name is Kuppusamy petition Adhara Card No.449883412957 and phone No.9344156222, Email-mdukkramesh@gmail.com. That the petitioner states violation of Article 14, 19(1) (a), 19 (3), 21 of Indian Constitution.
19. That the petitioner stated that the petitioner sent detailed representation to respondents through E-mail and ordinary post seeking intervention is this 10.02.2020 regard. But till date the respondent did not take any action on petitioner representation.

19. **Cause of action**_that cause of action is rest of the country people living with stress after the month of December 2019. if it is continue the entire country people life would danger level .

20. That the petitioner have not any personal interest or personal motive on file this Public Interest Litigation.

21. That the petitioner have not any civil and criminal and Revenue litigation, involving the petitioner or any of the petitioner which has or could have a legal nexus with the

issue involved in the public interest litigation.

22. That the petitioner not filed similar petition before any court or Hon'ble High Court and the Hon'ble Supreme Court.

23. That the petitioner stated that nature of injury is for all states people those are suffering with stress due to denial of their fundamentals rights.

GROUND

A. Because it is India is world largest democratic country in world all the countries in the world are getting jealousy our countries democratic system. So if our Union Government passes a bill or act all the states should accept the bill and they have to obey and implement and enforce and they should pass in their legislated assemblies they cont to do anything against the bill which is against Indian constitution. The bill the Citizenship (Amendment) Act – 2019 No.47 of 2019 must be accepted by all state and

enforce the act early as possible. The state Govts in India has no other alternative and they should be branded and anti nationals they cont escape from clutches of law.

B. Because the Citizenship (Amendment) Act – 2019 No.47 of 2019 has been passed in parliaments hence there is no alternative for the opposing not to enforce in the state is illegal one their anti nationals. According to our Indian Constitutions it has given vast power to Union Government to take stringent action on those states which are opposing the act given the Union Government has power to dismiss the state Government which is opposing it.

C. Because some of the States are opposing the Citizenship (Amendment) Act – 2019 No.47 of 2019 and has requested not to enforce in their states and also inducing the uneducated and minority people to make riot and arson and making fire and torching the Government properties and caused crores and crores valued public properties were damaged. Everyday there are indulging arson and riot backed by some

anti national political parties and threatening the Government to withdraw the bill by using in a terror way if it continues Indian democracy and its power will be only on papers and no one can enforce it. The Government have use iron hand and they have to quell the riot.

D. Because some of the States are opposing the Citizenship (Amendment) Act – 2019 No.47 of 2019 Our Constitution is the Lengthiest Constitution in the world. The Constitution of India is a fundamental law and any other laws enacted by the Parliament and the states legislatures are subject to the constitution of India. the Constitution of India bifurcate the sovereign functions and entrusted the same with as specified in the Constitution. The parliament of India and states legislatures, Executive and Judiciary are three pillars of the constitution.

E. Because some of the States are opposing the Citizenship (Amendment) Act – 2019 No.47 of 2019the Article 246 of the Constitution bifurcate the enacting powers between the parliament of India and

the State Legislatures. Hence, the parliament of India is having power to enact laws in respect of the matters enumerated in List I, Schedule VII of the Constitution of India. The state Legislatures are having powers to enact the laws in respect of the matters specified in list II, schedule VII of the constitution of India. Further, the parliament and the state Legislatures are having powers to enact the laws in respect of matters enumerated in list III, schedule VII of the Constitution of India, it is called as "Doctrine of Occupied field". Once the Parliament enacted any laws in a particular matter, the state Legislature has no power to enact law for same matter. While enacting the law, the parliament directs the state legislatures or the Executive to do anything in specified manner, the state Legislatures and its executives shall follow the same unscrupulously.

F. Because the Article 19(1) (A), Constitution of India guarantee the freedom of speech. The 19(3) protects the Assembling in a peaceful manner. Every citizen gets the fundamental rights. But having the constitutional right in the had some of the

organization political parties inducing to do riots and damaging the public properties and acting against India's sovereignty. But the govt gave to Act under article 51(a) constitution of India. it is the bounden duty of the govt and courts.

G. Because the Hon'ble Supreme Court of India in (2012) 3 Supreme Court Page No.12 passed orders as follows:-

"J.Constitution of India – Art. 51-A - Fundamental duties - Applicability to public functionaries – Held, like other citizens, they too are bound.

Held:

There cannot be nay quarrel with the proposition that the court cannot substitute its opinion for the one formed by the experts in the particular field and due respect should be given to the wisdom of those who are entrusted with the task of framing the policies. The court is also conscious of the fact that it should not interfere with the fiscal policies of the state. However, when it is clearly demonstrated that the policy framed by the state or its agency instrumentality and/or its

implementation is contrary to public interest or is violative of the constitutional principles, it is the duty of the court to exercise its jurisdiction in larger public interest and reject the stock plea of the state that the scope of judicial review should not be exceeded beyond the recognized parameters. When matters like these are brought before the judicial constituent of the state by public spirited citizens, it becomes the duty of the court to exercise its power in larger public interest and ensure that the institutional integrity is not compromised by those in whom the people have reposed trust and who have taken an oath to discharge duties in accordance with the constitution and the law without fear or favour, affection or ill-will and who, as any other citizen, enjoy fundamental rights and, at the same time are bound to perform the duties enumerated in Article 51-A.”

PRAYER

In the facts and circumstances of the case, as mentioned above, it is, therefore, most humbly prayed that this Hon'ble Court may graciously be pleased to:

A. To make strict rules and form guidelines against the agitation and procession by political parties or any organization religious or non religious all over India.

B. To impose Ban order against to those agitation or procession in favour or against citizen Amendment Act 2019 No.47 of 2019 till this Hon'ble Apex Court decision.

C. To ban the electronic telecommunications internet, Face book, Watsapp, telegram, posters, flex banner or any other electronic transfer communication regarding any statement or video's of anti-CAA campaign / propaganda throughout India pending disposal of the case before the Hon'ble Apex Court.

D. In the mean time this Honourable court may be pleased to issue direction for the matter involving the same issue will not be taken up for any decision in any of the High Courts.

E. Pass any other appropriate relief, orders, or directions which may deem fit in the facts and circumstances of the case.

FOR THIS ACT OF KINDNESS THE PETITIONER/ APPLICANT
HEREIN AS IN DUTY BOUND SHALL EVER PRAY

FILED BY:

Advocate for the Petitioner

Drawn on.03.2020

Filed on .03.2020

IN THE SUPREME COURT OF INDIA

(ORIGINAL JURISDICTION)

WRIT PETITION.NO. OF 2020

IN THE MATTER OF

Hindu Dharma Parishad,

Rep. by K.K.Ramesh,

Managing Trustee,

..... PETITIONER

VERSUS

The Union of India & ors

.... RESPONDENTS

AFFIDAVIT

I, K.K.Ramesh, S/o. K.R. Kuppswamy, Hindu Dharma Parishad,
Managing Trustee, aged about 47 years, No. 26A, Old Mhalipatti
Road, Madurai –625001, Tamil Nadu, Presentably at New Delhi do
hereby solemnly and sincerely affirm and state on oath as follows:

1. I am the petitioner in the above mentioned Writ petition and I am
well acquainted with the facts of the case, as such I am
competent to swear this affidavit.

2. That I have read the averments in paras to of the petition for
Writ petition pages to and the facts stated in pages (to)

of the list of dates and IA's. and state that they are true to the best of my knowledge and belief.

3. I state that the facts stated herein are true to my knowledge, belief no part of it is false and nothing material has been concealed there from.

4. I state that the Annexures filed with the Writ petition are true copies of their respective originals.

5. I have not any personal interest or motive for file this public interest litigation.

VERIFICATION

DEPONENT

Verified at New Delhi on this day 16 of March, 2020 that the contents of the foregoing affidavit are true and correct to the best of my knowledge, belief and nothing material has been concealed there from.

DEPONENT

NARENDER KUMAR VERMA
ADVOCATE FOR PETITIONER,
C.C. NO.2103
PHONE. 9643517980
SCBA-LIB-1

TO

The Registrar ,
Supreme Court.

THE MATTER OF

Hindu Dharma Parishad,
Rep. by K.K.Ramesh,
Managing Trustee,

..... PETITIONER

VERSUS

The Union of India & ors

SIR,

I am the Advocate the above petition, I authorized my junior C.R.JAYA SUKIN, Advocate for filling, cure, numbering the above matter. Kindly accept it.

NARENDER KUMAR VERMA

17.3.2020