

23-77

ORIGINAL

IN THE
SUPREME COURT OF THE
UNITED STATES

PALANI KARUPAIYAN et al
---Petitioners

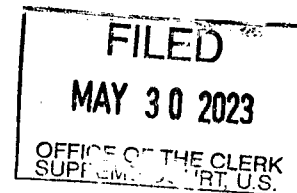
v.

TATA CONSULTANCY SERVICES et al
---- Respondents

On Petition for a Writ of Certiorari
to the United States Court of
Appeals for the Third Circuit
Docket-23-1303

**PETITION FOR A WRIT OF
CERTIORARI**

Palani Karupaiyan.
Pro se, Petitioner,
1326 W. William St
Philadelphia, PA 19132s
palanikay@gmail.com
212-470-2048(m)



I. QUESTION PRESENTED

Petitioner's prayed reliefs were

- i) National importance of having the US Supreme Court decide or conflict with USSC ruling, or importance of similarly situated over millions of citizens or the first impression is raised at USSC.

Petitioner's prayed 10 reliefs were as Writ of Mandamus or Prohibition or alternative so the questions were part of three test condition requirement of the Writs.

- ii) When Salahuddin v. Cuomo, 861 F. 2d 40 - Court of Appeals, 2nd Circuit 1988 ruled that

"this Court [USCA 2nd Cir] has repeatedly cautioned against Sua Sponte dismissals of pro se civil rights complaints prior to requiring the defendants to answer".

Dist Court sua sponte dismissing the complaint before defendants to answer and USCA3 failed to vacate Sua Sponte Dismissal is error.

- iii) When Moses H. Cone Memorial Hospital v. Mercury Constr. Corp., 460 US 1 - Supreme Court 1983 @footnote[6] ruled that

More fundamentally, a Court of appeals has no occasion to engage in extraordinary review by mandamus "in aid of [its] jurisdiction[n]," 28 U. S. C. § 1651, when it can exercise the same review by a contemporaneous ordinary appeal. See, e. g., Hines v. D'Artois, 531 F. 2d 726, 732, and n. 10 (CA5 1976).

Following USCA3's ruling is error

Mandamus relief is unavailable because he may challenge the District Court's dismissal order through the normal appeal process. See In re Nwanze, 242 F.3d 521, 524 (3d Circuit, 2001) (noting that, "[g]iven its drastic nature, a writ of mandamus should not be issued where relief may be obtained through an ordinary appeal") (citation omitted).

II. PARTIES TO THE PROCEEDING

PALANI KARUPAIYAN; P. P.; R. P. are petitioners

Respondents are

TATA CONSULTANCY SERVICES, (TCS);

RAJESH GOPINATHAN, individually and in
his official capacity as MD, CEO of TCS;

TATA GROUP OF COMPANIES;

JOHN DOES, ex-CEOs of TCS

III. TABLE OF CONTENTS

I. Question Presented	i
II. Parties to the Proceeding	iii
III. Table of Contents	iv
IV. Table of Authorities.....	vii
V. Petition for a Writ of Certiorari.....	1
VI. Opinion(s)/orders/Judgment(s) BELOW (from Dist Court and USCA3).....	1
VII. Jurisdiction	1
VIII. Constitutional and Statutory Provisions Involved.....	2
IX. Statement of the Case	3
a) Dist Court Proceeding and ruling	3
b) USCA3 Proceeding and ruling	3
X. TCS Business Model.....	4
a) In India.....	4
b) In USA.....	5
XI. TCS Business wrongdoings.....	5
XII. Purpose of outsource	6
XIII. Pro se pleading standards.....	6
XIV. All Writs Act, 28 U.S.C. § 1651(a)	7
XV. Reliefs should be granted under Rule 8(a)(3)/54(c) or without Rule 12(b)'s requirement	7

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