

No : 20-5754

IN THE
Supreme Court of the United States

PALANI KARUPAIYAN,

—Petitioner

v.

**DEPARTMENT OF EDUCATION,
NEW YORK CITY**

— Respondent

On Petition for a Writ of Certiorari to the United
States Court of Appeals for the Second Circuit

PETITION FOR REHEARING

Palani Karupaiyan,
Po Box 674,
Iselin, NJ 08830
Pro se-Petitioner
212-470-2048 (M)
palanikay@gmail.com

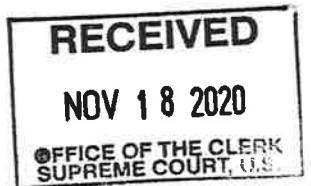


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PETITION FOR REHEARING

Pursuant to Rule 44.2, Petitioner Palani Karupaiyan respectfully Petition for Rehearing of the Court's order denying Certiorari. The PETITION FOR A WRIT OF CERTIORARI is denied on Nov 02 2020. (Page-10).

GROUND FOR REHEARING

On Sep 18 2020, petitioner filed his petition for a writ of Certiorari with this Court. Attached.

The Clerk office of US Supreme Court excluded the 7th page of my Petition for Certiorari in the docket. Attached. The 7th page of my petition had very important and core argument of my petition.

As soon as I found this defect, on Oct 01 2020 I have provide a complete copy of my petition including appendix to this Court clerk office and requested them to update/correct the docket but the Clerk office failed to update/correct the docket with my complete petition(with 7th page) for a writ of Certiorari. Attached.

Because of this error of clerk office, without the 7th page of my petition for a writ of Certiorari, my petition is denied. (Page-10) and

I'm prejudiced, and my petition to the Court is First Amendment to the United States Constitution which is violated by the error of the clerk office of the Court.

With this Petition for rehearing, now I have included the complete copy of my original petition for a writ of Certiorari with appendix for the Court for rehearing/reconsideration. Attached.

In Borough of Duryea, Pa. v. Guarnieri, 564 US 379 - Supreme Court 2011 at 2494, this Court ruled that "***This Court's precedents confirm that the Petition Clause protects the right of individuals to appeal to Courts and other forums established by the government for resolution of legal disputes.*** "[T]he right of access to Courts for redress of wrongs is an aspect of the First Amendment right to petition the government." Sure-Tan, Inc. v. NLRB, 467 U.S. 883, 96-897, 104 S.Ct. 2803, 81 L.Ed.2d 732 (1984); see also BE & K Constr. Co. v. NLRB, 536 U.S. 516, 525, 122 S.Ct. 2390, 153 L.Ed.2d 499 (2002); Bill Johnson's Restaurants, Inc. v. NLRB, 461 U.S. 731, 741, 103 S.Ct. 2161, 76 L.Ed.2d 277 (1983); California Motor Transport Co.

v. Trucking Unlimited, 404 U.S. 508, 513, 92 S.Ct. 609, 30 L.Ed.2d 642 (1972).

In Guarnieri at 2495 this Court ruled that “*The right to petition allows citizens to express their ideas, hopes, and concerns to their government and their elected representatives, whereas the right to speak fosters the public exchange of ideas that is integral to deliberative democracy as well as to the whole realm of ideas and human affairs. Beyond the political sphere, both speech and petition advance personal expression, although the right to petition is generally concerned with expression directed to the government seeking redress of a grievance*”.

Because of Petitioner is pro se, Petitioner prays this Court for his pleadings are to be "liberally construed". Federal Exp. Corp. v. Holowecki, 552 US 389 - Supreme Court 2008 at 1158, pro se litigants are held to a lesser pleading standard than other parties. See Estelle v. Gamble, 429 U.S. 97, 106, 97 S.Ct. 285, 50 L.Ed.2d 251 (1976) (Pro se pleadings are to be "liberally construed")

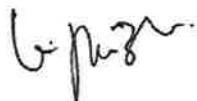
In Conner v. Simler, 367 US 486. Sup.Ct(1961), Certiorari was originally denied, 365 US 844 (1961), but in which on rehearing, that

order was vacated and Certiorari granted; the case was then decided on the merits. Same in *Boumediene v. Bush, 551 US 1160 - Supreme Court 2007.*

CONCLUSION:

For the foregoing reasons, the petition for rehearing should be granted, vacate the order of denied for petition and Certiorari granted.

Respectfully submitted.



Palani Karupaiyan
PO Box 674
Iselin,
NJ 08830
212-470-2048(m),
Palanikay@gmail.com