

23-1070

In The
**SUPREME COURT OF THE UNITED
STATES**

IN RE: PALANI KARUPAIYAN, Petitioner

On Petition for **Writ of Mandamus,**
Prohibition or alternative to
United States Court of Appeals
for the Third Circuit (Dkt 24-1067)

PETITION FOR REHEARING

Palani Karupaiyan.
Pro se, Petitioner,
1326 W William St.
Philadelphia, PA 19132
212-470-2048(M)

RECEIVED

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SUPREME COURT, U.S.

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docket 23-1070 In Re: Palani Karupaiyan.

II. TABLE OF AUTHORITIES

Cases

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III. PRO SE STANDARDS

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")

Erickson v. Pardus, 551 US 89 - Supreme Court 2007 @ 2200

A document filed pro se is "to be liberally construed," *Estelle*, 429 U.S., at 106, 97 S.Ct. 285, and "a pro se complaint, however inartfully pleaded, must be held to less stringent standards than formal pleadings drafted by lawyers.

IV. PETITION FOR REHEARING

Pursuant to Rule 44.2, Petitioner(s) Palani Karupaiyan respectfully Petition for Rehearing of the Court's order denying Petition for Mandamus or Prohibition. The PETITION FOR A WRIT OF MANDAMUS OR PROHIBITION is denied on May 28 2024. (Appendix-C)

V. REASONS FOR GRANTING REHEARING

On Apr 1, 2024, this Petition for Writ of Mandamus or Prohibition was filed under US S. Ct Rule 11 / 28. USC § 2101(E).

When this Petition is under subjudice of this Court, on Apr 8 2024, USCA3 entered the Opinion

and Order for denying Petition for Mandamus which is final order of USCA3. **Appendix-A, B** .

In Hobby Lobby Stores, Inc. v. Sebelius, 568.US.1401 – S.Ct 2012@643

The only source of authority for this Court to issue an injunction is the All Writs Act, 28 USC §1651(a) and Following a final judgment, they [Petitioner] may, if necessary, file a petition for a writ of certiorari in this Court.

In Hohn v. United States, 524.US.236–S.Ct 1998@264(“We can issue a common-law writ of certiorari under the All Writs Act, 28 USC§1651)

For the above USSC ruling, USCA3’s Apr 8 2024 final order/Judgment which is requirement of granting writ under Hobby/568.US.1401@643 is fulfilled, Petitioner pray this court for this Petition for rehearing to be granted.

See in Watts, Watts & Co. v. Unione Austriaca di Navigazione, 248 US 9 - Supreme Court 1918@21

This court, in the exercise of its appellate jurisdiction, has power not only to correct error in the judgment entered below, but to make such disposition of the case as justice may at this time require. Butler v. Eaton, 141 U.S. 240; Gulf, Colorado & Santa Fe Ry. Co. v. Dennis, 224 U.S. 503, 506 . And in determining what justice now requires the court must consider the changes in fact and in law which have supervened since the decree was entered below. United States v. Hamburg-Amerikanische Packetfahrt - Actien Gesellschaft, 239 U.S. 466, 475, 478 ; Berry v. Davis, 242 U.S. 468 ; Crozier v. Krupp, 224 U.S. 290, 302 ; Jones v. Montague, 194 U.S.

147; Dinsmore v. Southern Express Co., 183 U.S. 115, 120; Mills v. Green, 159 U.S. 651; The Schooner Rachel v. United States, 6 Cranch, 329; United States v. The Schooner Peggy, 1 Cranch, 103, 109-110.

In Nonnette v. Small, 316 F. 3d 872 - Court of Appeals, 9th Circuit 2002

We have frequently held that in the exercise of our appellate jurisdiction we have power not only to correct error in the judgment under review but to make such disposition on the case as justice requires. And in determining what justice does require, the Court is bound to consider any change, either in fact or in law, which has supervened since the judgment was entered.

quoting Patterson v. Alabama, 294 U. S. 600, 607 (1935)

By the Nonnetten and Patterson ruling, this Court should absorb the USCA3's opinion and order dated Apr 8, 2024 and grant the Petition for Rehearing.

When case under subjudice, copy of petition send thru USPS to NJ appellate court was delayed, so on Apr 16 2024 petitioner went to NJ attorney general office, NJ appellate court, and NJ Supreme court to hand-deliver the petition. The petition for mandamus was denied to accept in-person by NJ appellate court and told me discard petition into thrash. NJ Supreme Court, NJ appellate court, NJ Attorney general office, NJ administrator of Courts did not have any drop box either. These all violation of this court rule 29. When they refused accept the petition, the brief in opposition is not needed and petition should be granted.

For any and all reasons stated above, Petitioner prays this court for Petition for rehearing to be granted.

VI. REHEARING GRANTING

STANDARD

In Conner v. Simler, 367 US 486. Sup. Ct (1961), Certiorari was originally denied, 365 US 844 (1961), 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.

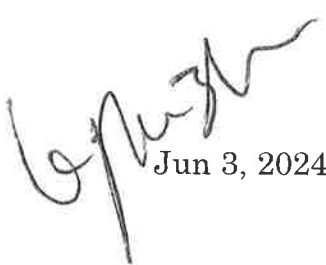
VII. CONCLUSION

For the reasons set forth in this Petition, Palani Karupaiyan respectfully requests this Honorable Court grant rehearing and his Petition for a Writ of Mandamus or Prohibition. Vacate the denial order May 28 2024.

Also, the Court should hold the parallel petition for Writ of Mandamus or Prohibition (23-1026 – In Re Palani Karupaiyan) and its rehearing, then consider both petitions together.

Respectfully submitted.


Palani Karupaiyan


Jun 3, 2024

Appendix – A: USCA3’s Opinion for denying
Petition for Mandamus Apr 8, 2024

CLD-084 **NOT PRECEDENTIAL**
UNITED STATES COURT OF APPEALS
FOR THE THIRD CIRCUIT

No. 24-1067

IN RE: PALANI KARUPAIYAN, Petitioner

On a Petition for Writ of Mandamus from the
United States Dist Court for the Dist of New Jersey
(Related to D.N.J. Civ. No. 2:23-cv-20928)

Submitted Pursuant to Rule 21, Fed. R. App. P.
March 7, 2024
Before: KRAUSE, FREEMAN, and SCIRICA, Circuit
Judges
(Opinion filed April 8, 2024)

OPINION^{1*}

PER CURIAM

Palani Karupaiyan, a frequent litigant, filed suit in the United States District Court for the District of New Jersey, related to, inter alia, the towing of his Porsche Cayenne, in which he had been living; the appointment of United States Supreme Court justices; and what he characterizes as the attempted abduction of his children to the Republic of India.

¹ * This disposition is not an opinion of the full Court and pursuant to I.O.P. 5.7 does not constitute binding precedent.

Karupaiyan would like us to exercise our mandamus authority to provide him with the relief that he seeks in the District Court and more. Specifically, he asks that we order the United States to amend the Constitution in several ways; change how Supreme Court justices, federal circuit and district judges, and some New Jersey state court judges are appointed (and invalidate the appointment of one justice); enact a universal family law; and abolish the Electoral College. He further requests that we order the Republic of India to release his United States citizen children. He also asks us to enter orders against New Jersey to strike down New Jersey's constitution and the New Jersey Supreme Court; move New Jersey municipal judges onto the New Jersey Judiciary payroll; disallow some New Jersey judicial appointments; deposit New Jersey traffic violations fines into the New Jersey treasury; remove his traffic ticket to federal court; and institute a system that allows for jury trials in any New Jersey trial, including municipal hearings on traffic tickets. And he wants us to order Woodbridge Township, New Jersey, to pay him \$295 per day for each day that he is without his Porsche.

Under 28 U.S.C. § 1651, we have the authority to "issue all writs necessary or appropriate in aid of [our jurisdiction] and agreeable to the usages and principles of law." That authority does not extend to entertaining claims brought in the first instance, and issuing writs against states and their officials, or the United States government, let alone other countries like the Republic of India.

Traditionally, we issue such a writ of mandamus only when a district court "has made an error of jurisdictional dimension," and we use it "to confine an inferior court to a lawful exercise of its prescribed jurisdiction or to compel it to exercise its authority

when it is its duty to do so.” See *United States v. Christian*, 660 F.2d 892, 893 (3d Cir. 1981) (internal quotation marks and citation omitted). But it is not clear if Karupaiyan asks us to order the District Court or the District Judge to do anything. To the extent that he may be requesting that we order the District Court to grant the relief that he sought there, we conclude that mandamus relief is not appropriate. See *Madden v. Myers*, 102 F.3d 74, 79 (3d Cir. 1996), superseded in part on other grounds by 3d Cir. L.A.R. 24.1(c) (2011) (explaining that a petitioner seeking the writ “must have no other adequate means to obtain the desired relief, and must show that the right to issuance is clear and indisputable”).

For these reasons, the petition for a writ of mandamus is denied.

Appendix – B – USCA3's Order denying
Petition for mandamus. Apr 8, 2024

CLD-084

UNITED STATES COURT OF APPEALS
FOR THE THIRD CIRCUIT

No. 24-1067

IN RE: PALANI KARUPAIYAN, Petitioner

On a Petition for Writ of Mandamus from the
United States Dist Court for the Dist of New Jersey
(Related to D.N.J. Civ. No. 2:23-cv-20928)

Submitted Pursuant to Rule 21, Fed. R. App. P.
March 7, 2024

Before: KRAUSE, FREEMAN, and SCIRICA, Circuit
Judges

ORDER

PER CURIAM:

This cause came to be considered on a petition
for writ of mandamus submitted on March 7, 2024.
On consideration whereof, it is now hereby

ORDERED by this Court that the petition for
writ of mandamus be, and the same is, denied. All of
the above in accordance with the opinion of the Court.

DATED: April 8, 2024

**Appendix – C – Order denying Writ of
Mandamus or Prohibition.**

Supreme Court of the United States
Office of the Clerk
Washington, DC 20543-0001

May 28, 2024

Mr. Palani Karupaiyan
1326 W. Williams St,
Philadelphia, PA 19132

Re: in Re Palani Karupaiyan

No-23-1070

Dear Mr. Karupaiyan

The Court today entered the following
order in the above entitled case

The Petition for a writ of Mandamus
and/or Prohibition is denied.

Sincerely
/s/ Scott S. Harris
Scott S. Harris, Clerk