



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 01.02.2017

CORAM:

THE HON'BLE MR.JUSTICE S.VAIDYANATHAN

W.P. (MD) No.1652 of 2017

Shanmugam

... Petitioner

-vs-

1. State of Tamil Nadu,
Represented by its Secretary,
Home Department, Secretariat,
Chennai-9.
2. The Superintendent of Police,
Thanjavur District.
3. The Deputy Superintendent of Police,
Orathanadu,
Thanjavur District.
4. The Inspector of Police,
Orathanadu Police Station,
Thanjavur District.
5. The Inspector of Police,
Vallathikottai Police Station,
Thanjavur District.
6. Manikandan ... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India for issuance of a writ of Mandamus, directing the 2nd respondent to take appropriate disciplinary proceedings against 6th respondent based on petitioner's representation dated 17.12.2016 and pass any other order or orders as this Hon'ble Court may deem fit and proper as to the circumstances of this case.

For Petitioner : Mr.T.A.Ebenezer

For R1 to R5 : Mr.K.P.Krishna Doss
Govt. Advocate

**ORDER**

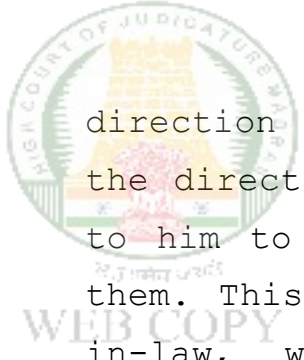
This writ petition has been filed, seeking to direct the 2nd respondent to take appropriate disciplinary proceedings against 6th respondent based on petitioner's representation dated 17.12.2016

2. The case of the petitioner is that the 6th respondent, who is none other than the brother of petitioner's wife has been indulging in criminal activities against him and his family members, by misusing his official capacity as Policeman; that there was a case and counter case against each other and that the petitioner made a representation to the 2nd respondent in person seeking protection from the atrocity of the 6th respondent and also to take departmental action against him and since no action has been taken against him till now, the petitioner is before this Court with the relief stated supra.

3. Heard the learned counsel for the petitioner and the learned Government Advocate appearing for the respondents.

4. It is seen from the averments that it is a family dispute and a bare reading of it shows that the petitioner is trying to use this Court as a tool to wreak vengeance against the 6th respondent by way of filing this writ petition so as to pressurize him to come to a settlement in one way or the other, apart from persuading the authorities concerned to take action against him and the petitioner has no right to dictate the authorities concerned to act in a particular manner as he wanted, with regard to initiation of action against his brother-in-law, as the same falls well within their realm.

5. In this case, it is to be seen that the sixth respondent is the brother-in-law of the petitioner and the petitioner does not stand in any legal interest, demanding action against the 6th respondent by the department. As such, he is also not entitled to seek a



direction to the authorities to consider his representation, as the direction being sought by the petitioner is in no way helpful to him to resolve and amicably settle the issue pending between them. This Court, while dealing with a case, wherein a daughter-in-law, without any authority, sought a direction to the respondents therein not to promote her father-in-law in W.P. (MD). No.8646 of 2015 (Loha vs. The District Educational Officer, Srivilliputhoor, Virudhunagar District), decided on 08.06.2015), had dismissed the matter with costs of Rs.5,000/-.

6. Though this is also a fit case to impose costs, this Court refrains itself from doing so. Hence, finding no merit in this frivolous writ petition filed by the petitioner, the same is dismissed. No costs.

Sd/-

Assistant Registrar(Writs)

/True Copy/

Sub Assistant Registrar

To:

1. The Secretary
State of Tamil Nadu,
Home Department, Secretariat,
Chennai-9.
2. The Superintendent of Police,
Thanjavur District.
3. The Deputy Superintendent of Police,
Orathanadu,
Thanjavur District.
4. The Inspector of Police,
Orathanadu Police Station,
Thanjavur District.
5. The Inspector of Police,
Vallathikottai Police Station,
Thanjavur District.

+1 cc to MR.T.A.EBENEZER, Advocate SR.No.5728

+1 cc to Special Government Pleader SR.No.5696

W.P. (MD) No.1652 of 2017

01.02.2017