

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 24.10.2018

CORAM

THE HONOURABLE Mr.JUSTICE K.KALYANASUNDARAM

W.P.No.5451 of 2011

Tamil Selvi ..Petitioner
Vs.

1.The Managing Director
Metropolitan Transport Corporation
Pallavan Illam, Pallavan Salai
Chennai 600 002.

2.The Branch Manager
Metropolitan Transport
Vadapalaini (Depo), Chennai 26.

3.A.Siva Perumal ...Respondents

Prayer:- The Writ Petition is filed under Article 226 of the Constitution of India, seeking for a Writ of Mandamus, directing the first respondent to take disciplinary action on petitioner's representation dated 12.01.2011 against the third respondent.

For Petitioner : Mr.Navaneetha Krishnan

For Respondents : Mr.Rajeni Ramadoss for R1 & R2
Standing Counsel

: Mr.P.Amarnath for R3

ORDER

The petitioner has filed the Writ Petition seeking issuance of Writ of Mandamus, directing the first respondent to take disciplinary action based on her representation dated 12.01.2011.

2. The case of the petitioner is that the third respondent and her husband were working in the Metropolitan Transport Corporation together and thereby, she was acquainted with the third respondent. Believing his words, in the year 1991, she had purchased 2205 sq.ft., vide the sale deed executed by the third respondent Power Agent. Since then she has been enjoying the property. The petitioner would allege that in the year

2010, she had lodged a complaint with the Commissioner of Police and the same was referred to Kundrathor Police Station, as according to the petitioner, the sale deed was made on the forged documents.

3. The grievance of the petitioner is that she sent a representation to the respondents 1 and 2 to take disciplinary action, but there was no response from respondents 1 and 2.

4. It is the submission of the learned counsel for the third respondent that the third respondent had sold the property to the petitioner as Power Agent in the year 1991 and after a lapse of 9 years, a criminal complaint was given against him and a case was also registered in Cr.No.10/2011 on 08.01.2011, based on the complaint. It is further submitted that the petitioner sent a representation dated 12.01.2011 enclosing a copy of the complaint to the respondents to take disciplinary action against the third respondent. But, in the meanwhile, the third respondent on attaining the age of superannuation retired from service in the year February 2011.

5. Taking note of the fact that the third respondent retired from service in February 2011, the respondents 1 and 2 have no authority to take disciplinary action against the third respondent. I find no reason to issue a direction sought for in this Writ Petition. In that view, the Writ Petition is dismissed. No costs.

Sd/-

Assistant Registrar(CO)

//True Copy//

Sub Assistant Registrar

dna

To

1.The Managing Director सतयमेव जयते
Metropolitan Transport Corporation
Pallavan Illam, Pallavan Salai
Chennai 600 002.

2.The Branch Manager
Metropolitan Transport
Vadapalaini (Depo), Chennai 26.

+lcc to M/S.S.Rajani Ramadas, Advocate Sr.73176

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ks[co]

srg 30/11/2018