



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Dated : 09.02.2018

CORAM :

WEB COPY

THE HONOURABLE MR. JUSTICE G.R. SWAMINATHAN

W.P(MD)No.2315 of 2018

K.Sankaran

... Petitioner

Vs.

- 1.The Government of Tamil Nadu
represented by the Chief Secretary,
Secretariat, Chennai - 600 009.
- 2.The Government of Tamil Nadu,
rep. by the Chief Secretary - Revenue
and Land Survey,
Department of Revenue,
Secretariat, Chennai - 9.
- 3.The Principal Secretary,
Land Survey and Land Settlement,
Government of Tamil Nadu,
Survey House,
Chepauk,
Chennai - 600 005.
- 4.The Additional Principal Chief Secretary
cum Revenue Commissioner,
Revenue Administration,
Government of Tamil Nadu,
Ezhilagam,
Chennai - 600 005.

... Respondents

Prayer : Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, to direct the third respondent to send the file in his proceedings in Na.Ka.Ja2/9504/2016 (P/CA), dated 19.12.2017 to the 1st respondent and consequently direct the 1st respondent to dispose the representation of the petitioner within a stipulated time on the basis of the petitioner's representation dated 27.01.2018.

For Petitioner : Mr.J.David Ganesan

For Respondents : Mr.J.Gunaseelan Muthiah
Additional Government Pleader



ORDER

The petitioner is a retired employee of the Survey Department. He has given complaints against certain named officials. In this regard, proceedings have been initiated by the third respondent. The petitioner now wants the third respondent to forward the file to the first respondent so as to take speedy action.

2.This Court is of the view that it is entirely for the employer to decide to initiate department action or not. It is not open to the petitioner herein to insist that disciplinary action must be initiated by the third respondent against the subordinate staff. In such matters, this Court has consistently taken the view that third parties will not have any locus standi. In other words, decision to conduct or continue the disciplinary action against the subordinates will rest entirely with the concerned disciplinary authority in question.

3.In this view of the matter, this writ petition is dismissed as not maintainable. No costs.

Sd/-

Assistant Registrar(T&P)

/True Copy/

Sub-Assistant Registrar

To

- 1.The Chief Secretary,
Government of Tamil Nadu
Secretariat, Chennai - 600 009.
- 2.The Chief Secretary - Revenue
and Land Survey,
Government of Tamil Nadu,
Department of Revenue,
Secretariat, Chennai - 9.
- 3.The Principal Secretary,
Land Survey and Land Settlement,
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Survey House, Chepauk,
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- 4.The Additional Principal Chief Secretary
cum Revenue Commissioner,
Revenue Administration, Government of Tamil Nadu,
Ezhilagam, Chennai - 600 005.

Arul

RL/5C/2P/SV/MMS/SAR1/19/3/2018