

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :08.08.2019

CORAM

THE HONOURABLE Mr.JUSTICE V.PARTHIBAN

W.P.Nos.22491 & 22895 of 2019

Princy Martin

... Petitioner in both WPs.

Vs.

1. The Additional Director General of Police (Admin),
Dr.Radhakrishnan Salai,
Mylapore, Chennai,
Tamil Nadu 600 004.

..1st Respondent in WP.NO.22491 of 2019

1. The Directorate of Vigilance and Anti-Corruption,
293, MKN Road, Collector Nagar,
Alandur, Chennai-16, Tamil Nadu.

.. 1st Respondent in WP.No.22895 of 2019

2. The Commissioner of Police,
No.132, Commissioner Office Building,
EVK Sampath Rd, Vepery, Periamet,
Chennai 600 007. Tamil Nadu.

3. Ms.Shyamala Devi

... Respondents 2 & 3 in both WPs.

Common Prayer:

Petitions filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus directing the 1st and 2nd respondents to enquire and investigate the complaints dated 06.06.2019 and 13.06.2019 in accordance with law and take appropriate criminal action against the 3rd respondent.

For Petitioner : Mrs.T.Hemalatha

For Respondents : Mr.J.Pothiraj
Special Government Pleader

COMMON ORDER

These writ petitions have been filed seeking direction to the respondents 1 and 2 to investigate the petitioner's complaint dated 06.06.2019 and 13.06.2019 respectively and to take appropriate action against the 3rd respondent. According to the writ petitioner, she is a Senior Citizen and her husband Martin is a businessman having properties. According to her, the 3rd respondent has been in the habit of receiving illegal gratification from her husband under the guise of redressing all his personal and corporate grievances. In this regard, the writ petitioner appears to have given complaints before the 1st respondent on 06.06.2019 and 13.06.2019 respectively for which, no suitable action has been taken by the 1st respondent. Since no action has been taken, the present writ petitions have been filed.

2.From the above narrative, it could be seen that the writ petitioner probably has a personal scores to settle with the 3rd respondent, as the relationship of her husband with the 3rd respondent was not to her liking. Therefore, it appears that the petitioner has some axe to grind against the 3rd respondent. Hence, the petitioner has given a complaint to the 1st respondent and in the absence of any action, she is before this Court.

3.This Court is unable to appreciate as to how such writ petitions could be conceived and filed and expect this Court to exercise its extraordinary jurisdiction vested in it under Article 226 of the Constitution of India. The writ jurisdiction cannot be so casually invoked by the petitioner in order to settle her personal scores with the 3rd respondent. The personal dispute is being sought to be brought within the ambit of writ jurisdiction and as such, the writ petition cannot be entertained at all even for a moment. If the petitioner has any grievance against the 3rd respondent's functioning or in regard to the discharge of her duties, it is always open to the petitioner to pursue her remedies in the manner known to law, but it is certainly not open to her to approach this Court and seek indulgence of this Court to give such blanket direction in the writ petition. Obviously, it appears that the petitioner intention is to achieve a collateral purpose by obtaining a direction from this Court. Such collateral purpose cannot be allowed to be achieved by entertaining the present writ petition by this Court.

4.In view of the same, this Court has no hesitation in dismissing the Writ Petitions as being devoid of merits and therefore, the same is dismissed as not maintainable. No costs.

Sd/-
Assistant Registrar(CS IV)

//True Copy//

Sub Assistant Registrar

Sgl

To

1. The Directorate of Vigilance and Anti-Corruption,
293, MKN Road, Collector Nagar,
Alandur, Chennai-16,
Tamil Nadu.
2. The Additional Director General of Police (Admin),
Dr.Radhakrishnan Salai,
Mylapore, Chennai,
Tamil Nadu 600 004.
3. The Commissioner of Police,
No.132, Commissioner Office Building,
EVK Sampath Rd,
Veperiy, Periamet,
Chennai 600 007.
Tamil Nadu.
4. The Government Pleader,
High Court, Madras.

+2ccs to M/s.Swaminathan Law Associates, S.R.No.68590 & 29589
+1cc to the Government Pleader, S.R.No.58967

W.P.Nos.22491 & 22895 of 2019

SV(CO)
CS/25/09/2019