

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.06.2021

CORAM

THE HONOURABLE THIRU JUSTICE V. PARTHIBAN

W.P.No.11624 of 2020
and W.M.P.No.12374 of 2021

Pandikumar

... Petitioner

Vs.

- 1.The Secretary to Government,
Education Department,
Secretariat, Chennai – 600 009.
- 2.The District Collector,
Singaravelar Maaligai,
Rajaji Salai,
Chennai – 600 001.
- 3.The Director,
Technical Education Office,
No.53, Sardar Patel Road,
Baktavatsalam Nagar,
Guindy,
Chennai – 600 025.
- 4.Director of Vigilance and Anti Corruption
No.155, Konnur High Road,
Vasanthanagar, Chinna,
Chembarambakkam, Ayanavaram,
Chennai – 600 023.
- 5.The Inspector of Police,
Vepery Police Station,
Chennai.

6.The Superintendent,
Technical Education Office,
NO.53, Sardar Patel Road,
Baktavatsalam Nagar,
Guindy,
Chennai – 600 025.

7.Kannan

... Respondents

Writ Petition filed under Article 226 of the Constitution of India praying for the issuance of Writ of Mandamus, directing the respondents 1 to 4 to initiate departmental and disciplinary proceedings against the 6th and 7th respondents, who are presently working as Office Assistant in the 3rd respondent Department and complete the said enquiry in the manner known to law and award punishment to him by passing appropriate FINAL ORDERS in the manner known to law within a reasonable time frame as fixed by this Hon'ble Court based on the representation dated 18.06.2020 and consequently appoint the petitioner in the 7th respondent place.

For Petitioner : Mr.M.Balaji

For Respondents : Dr.S.Suriya
Government Advocate

ORDER

(Heard through Video Conferencing)

The petitioner appears to have been aggrieved by the action of 7th respondent who is none other than his own brother. According to the petitioner, 7th respondent who is his brother, has forged his signature and

obtained a compassionate appointment in Government Service on the death of their father. In respect of the same, a complaint has been lodged to the Police and also with the Employer to take action against 7th respondent. From the entirety of the averments contained in the affidavit the issue appear to be a private dispute as between the petitioner and his brother - 7th respondent herein. A private dispute being attempted to be brought within the realm of a public remedy readily under Article 226 of the Constitution of India.

2. In any event, the dispute of the present nature, the petitioner cannot seek intervention of this Court which is exercising its jurisdiction under the provisions of the Constitution. Such a dispute would certainly involve investigation of facts and no such blanket direction can be given on the basis of the self serving averments of the petitioner, who appears to be having an axe to grind against his brother - 7th respondent herein. The dispute is purely a private one and cannot be a subject matter of adjudication by this Court. It is always open to the petitioner to work out his remedies in a manner known to law but it is certainly not open to him to approach this Court and invoke the Writ jurisdiction.

3. Accordingly, the Writ Petition stands dismissed. No costs.

Connected miscellaneous petition is closed.

04.06.2021

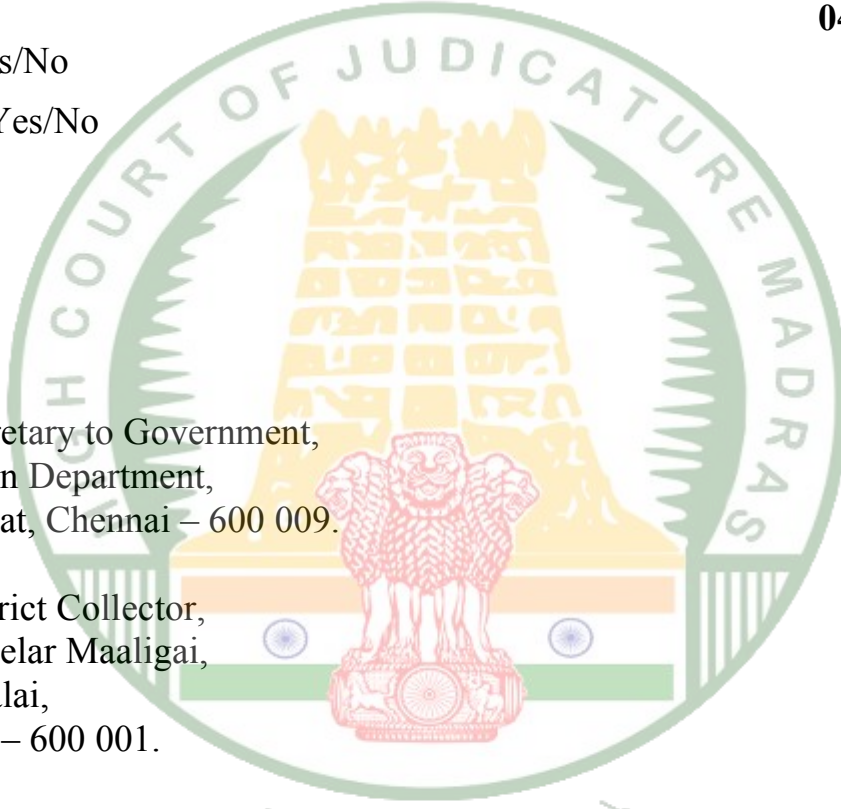
Index : Yes/No

Internet : Yes/No

sni/mrm

To

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5.The Inspector of Police,
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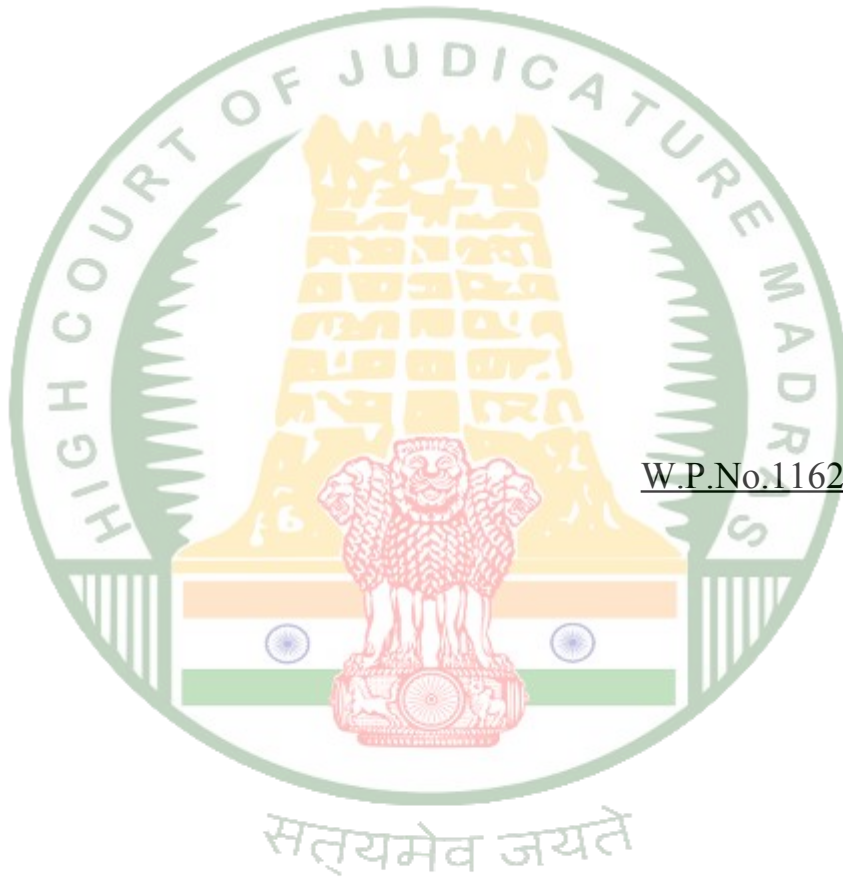
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V.PARTHIBAN, J.

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