

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED : 22.01.2021
CORAM

THE HONOURABLE MR.JUSTICE S.VAIDYANATHAN

W.P.No.773 of 2021
(Heard through VC)

C.Selvakumar

... Petitioner

-vs-

- 1.The Director General of Police,
Dr.Radhakrishnan Road,
Mylapore, Chennai-600 004.
- 2.The Commissioner of Police,
Greater Chennai Police,
132, EVK Sampath Road,
Vepery, Chennai-600 007.
- 3.The Deputy Commissioner of Police,
St.Thomas Mount Police District,
St.Thomas Mount, Chennai-89.
- 4.The Assistant Commissioner of Police,
Selaiyur Range,
St.Thomas Mount Police District,
Velachery-Tambaram Road, Chennai-73.
- 5.Mr.Y.Srinivasan,
The Inspector of Police,
S-15, Selaiyur Police Station,
Greater Chennai Police,
Chennai-73.
- 6.The Sub Inspector of Police,
S-15, Selaiyur Police Station,
Greater Chennai Police,
Chennai-73.
- 7.Dr.K.S.Srinivasan,
Principal and Member Secretary of Governing Council,
Mohamed Sathak AJ College of Engineering,
Sirurseri IT Park, OMR, Chennai-603 103.
- 8.Dr.S.Vijayakumar,
Administrative Officer and Senior Faculty Member,
Mohamed Sathak AJ College of Engineering,
Sirurseri IT Park, OMR, Chennai-603 103.

9.Mr.Abdul Gafoor,
Admission Officer,
Mohamed Sathak AJ College of Engineering,
Sirurseri IT Park, OMR, Chennai-603 103.

10.Alhaj.S.M.Yousuf,
Chairman Mohamed Sathak Trust,
33, Pycrafts Garden West,
Thousand Lights West,
Nungambakkam, Chennai-6.

11.Mr.Mohamed Sathak,
Director, Mohamed Sathak Trust,
33, Pycrafts Garden West,
Thousand Lights West,
Nungambakkam, Chennai-6.

... Respondents

PRAYER: Petition filed under Article 226 of Constitution of India to issue a Writ of Mandamus, directing the 2nd respondent to take necessary departmental action as against the 5th respondent for having willfully derelict discharging his duty based on petitioner's representation dated 01.01.2021 and in turn the 2nd respondent directing the 4th respondent to take appropriate action as against the respondents No.7 to 11 on petitioner's representation in the form of complaint dated 14.12.2020 made to the 5th respondent.

For Petitioner : Mr.K.Kannan
For Respondents : Mr.J.Pothiraj,
Special Government Pleader

ORDER

This writ petition has been filed, seeking a direction to the 2nd respondent to take necessary departmental action based on petitioner's representation dated 01.01.2021 against the 5th respondent for having wilful dereliction in discharging his duty and in turn the 2nd respondent to direct 4th respondent to take appropriate action against the respondents 7 to 11 on the petitioner's representation in the form of complaint dated 14.12.2020 made to the 5th respondent.

2. Mr.J.Pothiraj, learned Special Government Pleader takes notice on behalf of the respondents. By consent of both parties, the writ petition is taken up for final disposal at the admission stage itself.

3. The petitioner has submitted a representation dated 01.01.2021 to the 2nd respondent. It is very unfortunate that even before the representation could reach the hands of the

official, the Writ Petition has been filed on 04.01.2021. The representation has been sent to the 2nd respondent on a holiday i.e., on 01.01.2021 and on the first working day i.e., on 04.01.2021, the present writ petition has been filed by the petitioner. The representation would not have reached the officials, eventhough it has been sent through e-mail and the officials would not have had a chance to look into. That apart, the petitioner has sought for mandamus to take departmental action against the 5th respondent. The representation dated 01.01.2021 would make it very clear that there is not even a word or whisper about the departmental action to be taken.

4. Hence, I am of the view that the relief sought by the petitioner cannot be granted. It is open to the petitioner to work out his remedy in accordance with law and no relief could be granted in the present writ petition.

5. This Writ Petition is, accordingly, dismissed. No costs.

Sd/-

Assistant Registrar (C.S.II)

/True Copy/

Sub Assistant Registrar

To

- 1.The Director General of Police, Dr.Radhakrishnan Road, Mylapore, Chennai-600 004.
 - 2.The Commissioner of Police, Greater Chennai Police, 132, EVK Sampath Road, Vepery, Chennai-600 007.
 - 3.The Deputy Commissioner of Police, St.Thomas Mount Police District, St.Thomas Mount, Chennai-89.
 - 4.The Assistant Commissioner of Police, Selaiyur Range, St.Thomas Mount Police District, Velachery-Tambaram Road, Chennai-73.
 - 5.The Sub Inspector of Police, S-15, Selaiyur Police Station, Greater Chennai Police, Chennai-73.
- +1cc to Mr.K.Kannan, Advocate Sr.No.3905

AKM/19.2.21 /3P-7C/

W.P.No.773 of 2021
22.01.2021