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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 16.07.2021

CORAM:

THE HONOURABLE Mr.JUSTICE S.S.SUNDAR

W.P. No. 14516 of 2021
and
W.M.P. No.15411 of 2021

R.Baskar

.. Petitioner

Versus

1. The Chairman,
Chennai Port Trust,
Rajaji Salai,
Chennai - 600 001.
2. The Chief Mechanical Engineer,
Chennai Port Trust,
Rajaji Salai,
Chennai - 600 001.
3. A.Krishnamoorthy,
Office Superintendent, Employee No.31046,
Mechanical and Electrical Engineering Department,
Chennai Port Trust,
Rajaji Salai,
Chennai - 600 001.
4. V.Tamilselvan,
Technician, Employee NO.43253,
Mechanical and Electrical Engineering Department,
Chennai Port Trust,
Rajaji Salai,
Chennai - 600 001.

.. Respondents

Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus directing the respondents 1 and 2 to consider the petitioner's complaint dated 21.04.2021 and further representations dated 27.04.2021 and 29.04.2021 and take appropriate disciplinary action against the respondents 3 and 4.



For Petitioner : Mr. M.Muthappan

For Respondents : No appearance

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O R D E R

This Writ Petition is filed for issuing a Writ of Mandamus directing the respondents 1 and 2 to consider the petitioner's complaint dated 21.04.2021 and further representations dated 27.04.2021 and 29.04.2021 and take appropriate disciplinary action against the respondents 3 and 4.

2. The petitioner states that he joined as a Fireman Grade II in Chennai Port Trust in the year 1986 and that thereafter he was promoted to various posts and finally promoted to the post of Assistant Superintendent in Finance Department in August 2010. The petitioner himself claims that he is an accredited Whistle Blower. It is seen that the petitioner has some dispute with the Employees Union of Chennai Port Trust. With reference to an incident that took place on 21.04.2021, the petitioner lodged a police complaint against some persons in Cr.No.5 of 2021. The petitioner's complaint has been registered under Sections 294(b), 323 IPC. The petitioner himself admits that some of the employees of Chennai Port Trust have also given complaint in counter and that the same was also registered in Cr.No.6 of 2021. The petitioner, based on the criminal complaint, has given representations to the respondents 1 and 2 to take action against the persons who have committed offences as stated in the complaint. Since the representations were not considered by the respondents 1 and 2, the petitioner has filed the present writ petition.

3. Having regard to the facts narrated in the affidavit filed in support of this petition, this Court is inclined to dispose of the writ petition in the following lines:

The respondents 1 and 2 are directed to consider the complaint given by the petitioner and the complaint given against the petitioner. Similarly, respondents 1 and 2 are directed to consider the representations of the petitioner dated 27.04.2021 and 29.04.2021 and hold an enquiry after giving an opportunity to the petitioner and others against whom the petitioner has given complaint and pass appropriate orders or take appropriate action, if necessary, in accordance with law, within a period of twelve weeks from the date of receipt of a copy of this order.



4. With the above directions, this Writ Petition is disposed of. No costs. Consequently, connected miscellaneous petition is closed.

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Sd/-
Assistant Registrar(CS-VII)

//True Copy//

Sub Assistant Registrar

bkn

To

1. The Chairman,
Chennai Port Trust,
Rajaji Salai,
Chennai - 600 001.
2. The Chief Mechanical Engineer,
Chennai Port Trust,
Rajaji Salai,
Chennai - 600 001.

+1cc to Mr.M.Muthappan, Advocate, S.R.No.33861

W.P. No. 14516 of 2021

PCH(CO)
RLP(09/08/2021)