



WEB COPY



W.P.No.32913 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 07.12.2022

CORAM:

THE HON'BLE MR. JUSTICE ABDUL QUDDHOSE

W.P.No.32913 of 2022

R.Ganesan

... Petitioner

Vs.

1. The Superintendent of Police,
District Police Office,
Perambalur.

2. The Inspector of Police,
Arambavoor Police Station,
Perambalur District.

3. Rajamohan

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents to take departmental action against the third respondent based on the representation dated 30.09.2022 made by the petitioner.

For Petitioner : Ms.R.Gobika
For Respondents : Mr.D.Ravichander
Special Government Pleader

ORDER

By consent of both the parties, this writ petition has been taken up for final disposal at the admission stage itself.



W.P.No.32913 of 2022

WEB COPY

2. Mr.D.Ravichander, learned Special Government Pleader accepts notice for the respondents.

3. This writ petition has been filed for a Mandamus seeking for departmental action against the third respondent who is a Special Sub Inspector at Arambavoor Police Station, Perambalur District.

4. The petitioner is aggrieved by the conduct of the third respondent pertaining to a property dispute. In such circumstances, he has given a representation dated 30.09.2022 to the first respondent requesting them to take disciplinary action against the third respondent, who is the Special Sub Inspector at Arambavoor Police Station, Perambalur District, where the petitioner had lodged a complaint. Since the representation has not been considered till date, this writ petition has been filed.

5. Heard Ms.R.Gobika, learned counsel for the petitioner and Mr.D.Ravichander, learned Special Government Pleader for the respondents.

6. At the outset, the learned Special Government Pleader appearing for the respondents would submit that there is a private dispute between



W.P.No.32913 of 2022

the petitioner and the other owners in respect of a particular piece of land.

According to him, if at all the petitioner is having any grievance with regard to the conduct of the third respondent while dealing with the complaint given by him, his remedy is to approach the competent authority and therefore, the present writ petition is not maintainable.

7. However the same is disputed by the learned counsel for the petitioner and he would submit that despite several representations given by the petitioner to the respondents, no action has been initiated against the third respondent with regard to the allegations levelled against him which according to the petitioner is a genuine one.

8. This Court is of the considered view that no prejudice would be caused to the respondents, if the petitioner's representation dated 30.09.2022, as referred to supra seeking for departmental action against the third respondent is considered on merits and in accordance with law within a time frame to be fixed by this Court.

9. For the foregoing reasons, this Court directs the first respondent to pass final orders on merits and in accordance with law on the petitioner's representation dated 30.09.2022 seeking for departmental



W.P.No.32913 of 2022

action against the third respondent, after affording a fair hearing to the third respondent, within a period of twelve weeks from the date of receipt of a copy of this order.

10. With the aforesaid direction, the writ petition is disposed of. No costs.

07.12.2022

Index: Yes/No
Internet: Yes/No
Speaking Order/Non-Speaking Order
ham/vsi2



W.P.No.32913 of 2022

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W.P.No.32913 of 2022

ABDUL QUDDHOSE, J.

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W.P. No.32913 of 2022

07.12.2022