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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 03.07.2023

CORAM

THE HONOURABLE MR. JUSTICE C.V.KARTHIKEYAN

W.P.No. 38151 of 2016

Coimbatore Consumer Voice
Rep. by its Secretary
N.Logu
S/o. K.V.Nachimuthu
No.77, Opp. Medical College
Avinashi Road,
Coimbatore – 641 014.

... Petitioner

..Vs..

1. The Chairman
Tamil Nadu Generation and Distribution Corporation
No.144, Anna Salai,
Chennai.
2. Director General of Police (Vigilance)
Eastern Wing,
10th Floor, NPKRR Maaligai
144, Anna Salai,
Chennai – 600 002.
3. The Chief Engineer
Tamil Nadu Generation and Distribution Corporation
Coimbatore – 641 012.



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4. Superintendent Engineer
Metro Circle,
Tamil Nadu Generation and Distribution Corporation
Tatabad, Coimbatore – 12. ... Respondents

PRAYER: Petition under Article 226 of the Constitution of India, praying for the issue of a Writ of Mandamus directing the first and second respondents herein to take action against the delinquent officers based on the complaint lodged by the petitioner on 27.07.2016, 28.07.2016, 30.07.2016 & 03.09.2016 within a time frame fixed by this Hon'ble High Court.

For Petitioner	:: Mr. P.Arumugavel for Mr. A.Edwinprabakar
For Respondents	:: Mr. K.Rajkumar Standing Counsel for TANGEDCO

ORDER

This Writ Petition has been filed quite innocuously in the nature of a Mandamus seeking a direction against the first and second respondents, the Chairman, Tamil Nadu Generation and Distribution Corporation at Chennai and Director General of Police (Vigilance), at Chennai, to take action against delinquent Officers, who are not named in the affidavit filed by the petitioner herein.

2. The petitioner had given a complaints on 27.07.2016,



under the first and second respondents or working in the Department where the said delinquent Officers are supposedly working.

6. In the affidavit filed in support of the Writ Petition a lengthy description has been given about the Electricity connection given to a particular building P.N.R.Complex in Avinashi Road, Coimbatore and it had been stated that this has caused loss to the TANGEDCO. If loss has been caused, then it is the officials of the TANGEDCO who should enquire into that aspect and not the petitioner.

7. I am informed that consequent to the filing of the Writ Petition disciplinary proceedings has also been initiated.

8. Let me make it clear that this Court does not grant any approval for such initiation of any disciplinary proceedings. It is an independent action taken by the respondents dehors the present Writ Petition. The petitioner has no locus standi to call upon any official to initiate any disciplinary proceedings without naming the delinquent Officers in the affidavit filed in support of the Writ Petition. Such initiation of



disciplinary proceedings without an opportunity of being heard, in my opinion, would not withstand judicial scrutiny.

9. At any rate, since the disciplinary proceedings had been initiated, I would leave it to the respondents and the said officials to take further action in accordance with law.

10. The Writ Petition is dismissed. No costs.

03.07.2023

vsg

Index: Yes/No

Internet: Yes/No

Speaking / Non Speaking Order

To

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C.V.KARTHIKEYAN, J.,



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