



WEB COPY



W.P.No.17404 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 10.07.2023

CORAM

THE HONOURABLE MR.JUSTICE N. SATHISH KUMAR

W.P.No.17404 of 2023

R.Pandyane

.. Petitioner

Versus

- 1.The Chief Vigilance Officer,
'A' Block, GPO Complex,
Satarkata Bhavan, INA,
New Delhi, Delhi – 110 003.
- 2.The Joint Secretary (UT),
Room No.121, North Block,
Ministry of Home Affairs,
New Delhi – 110 001.
- 3.The Chief Secretary to Government,
Puducherry – 605 001.
- 4.The Director General of Police,
Puducherry – 605 001
- 5.The Senior Superintendent of Police
(Law and Order),
Puducherry – 605 013.
- 6.The Senior Superintendent of Police
(Crime and Intelligence),
Puducherry – 605 001.



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7.The Under Secretary to Government
(Home Department),
Chief Secretariat, Puducherry – 605 001.

8.The Superintendent of Police (CID),
Puducherry – 605 001.

9.The Station House Officer,
Grand Bazaar Police Station,
Puducherry – 605 001.

10.The District Collector,
Puducherry District,
Puducherry – 605 001.

11.The Secretary to Government
(Law Department),
Puducherry – 605 001.

12.The Superintendent of Police (East),
Puducherry – 605 001.

13.The Deputy Inspector General of Police,
Central Bureau of Investigation (CBI),
Special Unit, 3rd Floor, 'A' Wing,
Rajaji Nagar, Besant Nagar,
Chennai – 600 090.

14.The Superintendent of Police (ACB),
Central Bureau of Investigation,
No.26, 3rd Floor, Haddows Road,
Sashtri Bhavan,
Chennai – 600 006.

15.The Recruitment Committee Constituted
for the post of Sub-Inspector of Police,



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Direct Recruitment Test conducted in the
year 2004 rep. by its Chairman &
3 Members,
No.1, Rue Dumas Police Headquarters,
Puducherry – 605 001.

.. Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the respondents 13 and 14 considering the petitioner's complaint dated 01.07.2022 for initiating criminal action against the 15th respondent Recruitment Committee constituted for selecting the post of Sub-Inspector of Police, Direct Recruitment of Police Department, Puducherry.

For Petitioner : Mr.S.P.Sudalaiyandi

For Respondents

For R3 to R12 : Mr.M.Nirmal Kumar
Government Advocate (Pondy)

For R13 & R14 : Mr.K.Srinivasan
Special Public Prosecutor (CBI)

ORDER

The writ petition has been filed to direct the respondents 13 and 14 considering the petitioner's complaint dated 01.07.2022 for initiating



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criminal action against the 15th respondent Recruitment Committee constituted for selecting the post of Sub-Inspector of Police, Direct Recruitment of Police Department, Puducherry.

2. The main grievance of the writ petitioner is with regard to certain irregularities, that according to him crept in the Mark list released for the post of Sub-Inspector of Police selection of the Puducherry State. Therefore, according to him, he has given a complaint in the name of representation on 01.07.2022 for initiating criminal action against the 15th respondent Recruitment Committee, which has been constituted for selection to the post of Sub-Inspector of Police. However, the CBI has not taken any action in that regard.

3. At the outset, this Court is of the view that the writ petitioner is innocuously seeking a direction to the CBI to investigate the matter by registering the case. This Court is of the considered view that such mandamus cannot be directed by this Court. If at all the petitioner is aggrieved by the inaction on the side of the CBI on his complaint, he has to exhaust his alternative remedy by way of either complaint under Section



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156(3) of Cr.P.C or proceeding under Section 200 of Cr.P.C. Therefore, this writ petition has no merits.

4. Accordingly, the writ petition stands dismissed. There shall be no order as to costs.

10.07.2023

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Index : Yes / No

Speaking Order : Yes / No

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