



WA No.1348 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 03.07.2023

CORAM

THE HON'BLE MR.SANJAY V.GANGAPURWALA , CHIEF JUSTICE

AND

THE HON'BLE MR.JUSTICE P.D.AUDIKEVALU

WA No.1348 of 2023

R.Sumithra

... Appellant

-VS-

The Director General of Police,  
Director General of Police Office,  
Kamarajar Salai,  
Chennai-600 004.

... Respondents

Prayer: Writ appeal filed under Clause 15 of the Letters Patent to set aside the order dated 06.04.2022 made in W.P.No.27700 of 2018 on the file of this Court.

For the Appellant :: Mr.M.Madhuprakash

For the Respondent :: Mr.P.Muthukumar  
State Government Pleader

\* \* \* \* \*



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## JUDGMENT

(Made by the Hon'ble Chief Justice)

We have heard Mr.M.Madhuprakash, learned counsel for the appellant and Mr.P.Muthukumar, learned State Government Pleader for the respondent.

2. The learned counsel for the appellant submits that the learned Single Judge did not consider that the appellant is an aggrieved party. Three persons, that is, the employees of the respondent, illegally entered the house of the appellant and an F.I.R. has also been lodged against those three persons. Pursuant to the complaint filed by the appellant, some steps were taken by the respondent, but had not taken it to the logical end, as such the appellant has filed the writ petition. The appellant is ready to add those three persons as parties.

3. We have considered the contentions of the learned counsel for the appellant.



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4. The appellant certainly may have right to set the criminal law in motion against the persons who may have entered the house as alleged by the appellant.

5. As far as seeking directions against the employer to take departmental action against the employees is concerned, the same cannot be entertained in a writ petition. The appellant is a stranger so far as the respondent is concerned. It is for the employer to initiate departmental action against the employee. The employer-employee relationship is as per the service conditions. A stranger cannot insist the employer to proceed against the employee in a particular manner.

6. The learned Single Judge has dismissed the writ petition only on the ground that the persons against whom the appellant wants an action to be initiated are not parties. However, the said position also does not arise. The service jurisprudence would not permit a stranger to insist upon an employer to proceed in a particular manner against an employee.



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In light of that, the writ appeal stands dismissed. There will be no order as to costs.

(S.V.G., CJ.) (P.D.A., J.)  
03.07.2023

Index : Yes/No  
Neutral Citation : Yes/No  
sra

To

The Director General of Police,  
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THE HON'BLE CHIEF JUSTICE  
AND  
P.D.AUDIKESAVALU, J.

(sra)

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