



W.P.No.26933 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

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DATED: 14.09.2023

CORAM:

THE HONOURABLE MR.JUSTICE N.SATHISH KUMAR

W.P.No.26933 of 2023

K.Santhakumari

... Petitioner

Vs

1. The Director General of Police,
Dr.Radhakrishnan Salai,
Mylapore, Chennai – 600 004.

2. Vathana
Police Constable No.35863,
The District Collector,
District Collector Office, Madurai.

... Respondents

Prayer:- Writ Petition filed, under the Article 226 of Constitution of India, to issue a Writ of Mandamus directing the first respondent to initiate disciplinary proceedings against the 2nd respondent for violating the Rule 23 of Tamil Nadu Police Subordinate Service Rules 1973 based on petitioner representation dated 1.3.2020 within the time stipulated by this Court.

For petitioner : Mr.T.A.Ebenezer



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For Respondents : Mr.E.Vedabagathsingh
Special Government Pleader – R1

ORDER

This Writ Petition has been filed to direct the first respondent to initiate disciplinary proceedings against the 2nd respondent for violating the Rule 23 of Tamil Nadu Police Subordinate Service Rules 1973 based on petitioner representation dated 1.3.2020 within the time stipulated by this Court.

2. The grievance of the petitioner is that her husband namely Parthiban is having extra marital relationship with the second respondent. Therefore, the petitioner seeks a direction to take action against the second respondent herein.

3. A perusal of the Writ Petition indicate that a criminal case has been filed against the husband of the petitioner and his family members for alleged cruelty besides Original Petition is also pending before the Family Court. In such view of the matter, in a matrimonial issue, merely on the basis of some allegation, Constitutional Courts cannot be used to take action. If at all the petitioner wants to establish any relationship, it requires evidence and it is a



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matter of evidence and the same has to be decided by the competent Court and not by way of a Writ Petition. Hence, I do not find any merits in this Writ Petition.

4. Accordingly, this Writ Petition is dismissed. No costs.

14.09.2023

Index:Yes/No

Neutral Citation : Yes/No

vrc

To,

1. The Director General of Police,
Dr.Radhakrishnan Salai,
Mylapore, Chennai – 600 004.
2. Vathana
Police Constable No.35863,
The District Collector,
District Collector Office, Madurai.



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N.SATHISH KUMAR, J.

VTC

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