



W.P.(MD)No.3927 of 2019

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 15.09.2023

CORAM

THE HON'BLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

W.P.(MD)No.3927 of 2019

Senthilvel

: Petitioner

Vs.

- 1.The Director General of Police,
Directorate of Police Department,
Chennai.
- 2.The Assistant Director General of Police,
Directorate of Police Department,
Chennai.
- 3.The Superintendent of Police,
Pudukkottai District,
Pudukkottai.
- 4.The Inspector of Police,
Iluppur Police Station,
Iluppur.
- 5.Mangaiyarkarasi,
Sub Inspector of Police,
Iluppur Police Station,
Iluppur.

: Respondents



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PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying for a Writ of Mandamus directing the respondents to take departmental action on complaint given dated 06.02.2019 and to appoint an Enquiry Committee.

For Petitioner : No appearance
For Respondents 1 to 4 : Mr.J.John Rajadurai
Government Advocate
For Respondent No.5 : No appearance

ORDER

This Writ Petition is filed by the petitioner praying for a Writ of Mandamus, to take disciplinary action on the complaint of the petitioner dated 06.02.2019 and to appoint an Enquiry Committee.

2.There is no representation for the writ petitioner.

3.Heard Mr.J.John Rajadurai, learned Government Advocate appearing for the respondents 1 to 4.

4.A perusal of the said representation dated 06.02.2019 shows that the petitioner has made allegations against five



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individuals, who according to him had indulged in katta panchayat and threatened him and recovered money from him. It is also alleged that they had obtained signatures in blank stamp papers.

5. For the said allegations against the said private persons, if the petitioner is aggrieved, he should have lodged a complaint before the appropriate police and if at all no action has been taken, it was open to him to have filed a private complaint before the jurisdictional Magistrate.

6. The second limb of the prayer in the above representation is that the Inspector of Police, Iluppur Police Station also helped the said private persons by threatening the petitioner. Therefore, he seeks disciplinary action against the Inspector of Police.

7. Firstly, it has been categorically held by this Court that initiation of disciplinary action is completely within the domain of the employer and the petitioner cannot seek any Mandamus in respect of the same. If any criminal offence has been committed against the petitioner, it is for the petitioner to have approached the appropriate criminal Court for redressal of his grievance.



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8.This apart, on instructions learned Government Advocate appearing for the respondents 1 to 4 submits that the respondents have also inquired into the said complaint and found that the complaint is false and the petitioner himself has six criminal cases pending against him.

9.In that view of the matter, finding no merits, this Writ Petition is dismissed. No costs.

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Index : Yes / No

Internet : Yes / No

MR



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D.BHARATHA CHAKRAVARTHY, J.

MR

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