

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED :14.09.2023

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THE HONOURABLE MR.JUSTICE P.DHANABAL

W.P(MD)No.16909 of 2020
and WMP(MD) No. 14134 of 2020

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... Petitioner

-Vs-

1. The Director General of Police
Office of the Director General of Police
No.1.Dr.Radhakrishnan Salai
Mylapore, Chennai-4

2. The Inspector General of Police
South zone, No.1 New Natham Road
Race Course Colony
Madurai -2

3. The Superintendent of Police
Virudhunagar District
Virudhunagar

4. The Inspector of Police
Aruppukottai Town Police Station
Aruppukottai, Virudhunagar District

5. Seenivasan
The Sub Inspector of Police
Aruppukottai Town Police Station
Aruppukottai, Virudhunagar District

... Respondents

PRAYER:- Writ Petition is filed under Article 226 of the Constitution of India, praying for the issuance of a Writ of Mandamus directing the respondents to take disciplinary action against the fifth respondent

based upon the representation of the petitioner dated 11.11.2020 and pass appropriate orders.

For Petitioner	: Mr.S.Sivaprakash
For R1 to R4	: Mr. R.M.Anbunithi Additional Public Prosecutor
For R5	: No appearance

ORDER

This Writ Petition has been filed seeking for issuance of Writ of Mandamus to direct the respondents to take disciplinary action against the fifth respondent based upon the representation of the petitioner dated 11.11.2020.

2. When the matter is taken up for hearing today, the learned counsel appearing for the petitioner represented that he is withdrawing his vakalath. However this petition is filed to take disciplinary action against the fifth respondent. This case is covered by the order passed by this Court in W.P(MD) No.8871 of 2018 in the case of ***Sudalaikanu .vs. The Principal Secretary to Government and others***, wherein this Court held that for taking disciplinary action the third party cannot seek relief under Article 226 of the Constitution of India, since the matter is between employer and employee

3. In view of the above this petition is not maintainable and it is liable to be dismissed.

4. Accordingly this Writ Petition stands dismissed. No costs. Consequently connected miscellaneous petition is closed.

14.09.2023

Index : Yes/No
Internet : Yes/No
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Aruppukottai, Virudhunagar District
5. The Additional Public Prosecutor
Madurai Bench of Madras High Court
Madurai.

W.P(MD)No.16909 of 2020

P.DHANABAL, J.

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