



WP No.31397 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 22.03.2024

CORAM

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

AND

THE HON'BLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

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1.Arulkumar

2.Visalakshi

: Petitioners

Vs

1.The Commissioner

Commissionerate of Town Panchayat

7th and 8th Floor Municipal Administration Building

MRC Nagar, Chennai 28

2.The District Collector,

Salem District

3.The Assistant Director

Town Panchayat, Salem

4.The Executive Officer

Omalur Selection Grade Town panchayat

Omalur, Salem District

5.Suresh

6.Subramani

7.Shanthi

8.Govindan

9.Manivel

10.Manikandan



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- 11.Balasubramaniyan
- 12.Madaiyan
- 13.Ramesh
- 14.Annakkili
- 15.Sivagami
- 16.Jaya
- 17.Sagunthala
- 18.Vadivel
- 19.Manikandan
- 20.Anitha
- 21.Periyasamy
- 22.Raman
- 23.Kaveriyammal
- 24.Balakrishnan
- 25.Murugesan
- 26.Palanisamy
- 27.Chinnathayee
- 28.Pavadai
- 29.Palaniyammal
- 30.Muthu
- 31.P.Marimuthu
- 32.O.Marimuthu
- 33.Marayee
- 34.P.Mariyappan
- 35.Pappa

: Respondents

Prayer: Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus directing the 2nd respondent to take appropriate departmental disciplinary proceeding against respondents 5 to 35 who are all the government employees and illegally encroached the park land in S.Nos.181/1A, S.No.181/8A, S.No.181/8B at Omalur Town, Salem District by considering the representation dated 17/8/2022.



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For Petitioner : Mr.T.Ganesan
For Respondents 1 to 4 : Mr.A.Edwin Prabhakar,
State Government Pleader

ORDER

(Made by the Hon'ble Chief Justice)

We have heard Mr.T.Ganesan, learned counsel for the petitioner and Mr.Edwin Prabhakar, learned State Government Pleader for respondents 1 to 4.

2. The petitioner seeks departmental inquiry against respondents 3 to 35 by the second respondent/District Collector.

3. There cannot be a public interest litigation in service matters. It is the prerogative of the employer to conduct departmental inquiry or otherwise. A stranger cannot insist upon the employer to conduct departmental inquiry.

4. Representation is given by the petitioner. The respondent authorities may decide the said representation as may be permissible



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under law.

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5. The writ petition disposed of. There shall be no order as to costs. Consequently, WMP No.30832 of 2022 is closed.

(S.V.G., CJ.)

(D.B.C., J.)

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Index : Yes/No
Neutral Citation : Yes/No
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To

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THE HON'BLE CHIEF JUSTICE

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