



W.P.(MD)No.11881 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 07.06.2024

CORAM:

THE HONOURABLE MS.JUSTICE R.N.MANJULA

W.P.(MD)No.11881 of 2024

Dr.A.Renganathan

... Petitioner

vs.

1.The Registrar,
Gandhigram Rural Institute,
Gandhigram, Dindigul District.

2.A.Jansi Rani
Associate Professor &
Head of the Department,
Department of Rural Health and Sanitation,
Gandhigram Rural Institute,
Gandhigram, Dindigul District.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the first Respondent to adhere the procedure of enquires laid down under the Central Civil Services (Classification Control and Appeal) Rules, 1965 and Central Civil Services (Conduct) Rules, 1964 in respect of the complaints made by the Petitioner against the second Respondent dated 01.03.2024.

For Petitioner : Mr.R.M.Arun Swaminathan



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ORDER

Heard Mr.R.M.Arun Swaminathan, learned counsel appearing for the petitioner. Since no adverse order is going to be passed, notice to the respondents is dispensed with.

2. The petitioner who is working as a Health Officer in the first respondent Institute has filed this writ petition seeking a Writ of Mandamus directing the first Respondent to adhere the procedure of enquires laid down under the Central Civil Services (Classification Control and Appeal) Rules, 1965 and Central Civil Services (Conduct) Rules, 1964 in respect of the complaint dated 01.03.2024 made against the second Respondent.

3. The petitioner's grievance is that the second respondent who is the Head of Department of Rural Health and Sanitation Department, did not possess the required qualification to hold that post and he has been giving repeated complaints on the above issue. However, no action is taken till date. But, the petitioner is now being victimized by the second



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respondent who has made certain allegations against him by submitting a complaint and on which, the petitioner apprehends that some action will be taken without following the due procedures.

4. The petitioner can make all such submissions now made by him in case any action is initiated against him on the alleged complaint filed by the second respondent. The petitioner did not even produce a copy of the complaint made by the second respondent. The petitioner cannot abuse the process of the Court in case the second respondent as the Head of Department has genuinely taken any action against him for any of the lapses. So, without producing any ground materials, he cannot seek an order on imaginary grounds. If at all the petitioner is going to be aggrieved for any of the future order / action to be taken by the second respondent, at that point of time, the petitioner might get a cause of action to challenge the same. Since the writ petition has been filed without any basis, the same is not maintainable.



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5. In view of the above observations, the writ petition is disposed as not maintainable. No costs.

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NCC: Yes/No

Index : Yes/No

Speaking/Non-Speaking order

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R.N.MANJULA, J.

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