



W.P.(MD).No.14328 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 02.07.2024

CORAM

THE HONOURABLE MS.JUSTICE R.N.MANJULA

W.P.(MD).No.14328 of 2024

V.Sundaramahalingam

...Petitioner

Vs

1.The Commissioner,
Department of Handlooms,
Textiles and Kadhi
Commissionerate of Handlooms,
Government of Tamil Nadu,
Kuralagam 2nd Floor,
Chennai – 600 104.

2.The District Collector,
Virudhunagar District,
Virudhunagar.

3.The Assistant Director,
Department of Handlooms,
C-1-3 Block 2nd Floor,
Collectorate Complex,
Virudhunagar.

4.Rajaguru

5.Palpandi

6.Sankaralingam

... Respondents

1/5



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Prayer: Writ Petition filed under Article 226 of the Constitution of India praying this Court to issue a Writ of Mandamus, directing the third respondent to take necessary action based on the complaint of the petitioner dated 14.09.2023 in accordance with law within a stipulated time as fixed by this Court.

For Petitioner : Mr.C.Jeya Prakash

For R-1 to R-3 : Mr.J.Ashok
Additional Government Pleader

ORDER

Heard Mr.C.Jeya Prakash, learned counsel for the petitioner and Mr.J.Ashok, learned Additional Government Pleader for the respondents.

2. The petitioner who represents the Trade Union has filed this Writ Petition for issuance of Writ of Mandamus seeking direction against the third respondent to initiate action against the fourth respondent in pursuant to his complaint dated 14.09.2023.



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3. According to the petitioner, the respondents 4 to 6 had swindled the funds of the Society and in view of that several beneficiaries have given complaint through the petitioner.

4. It is learnt that the petitioner has also made a criminal complaint against the private respondents, but FIR has not been registered so far. So far as the respondents 1 to 3 are concerned, they have the discretion to take action against any of their employees, only when they get satisfied that such action is essential. In case, the petitioner has filed a complaint before the Police for registering the criminal complaint. Hence, he ought to have filed a Writ Petition seeking direction to register the FIR, if he is aggrieved.

5. The petitioner who is the Secretary of the Trade Union cannot compel the respondents 1 to 3 to take any action unless in their own appreciation and discretion, they come to a conclusion to take any action. The petition of this nature in my opinion is not maintainable.



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6. In view of the above stated reasons, this Writ Petition stands

dismissed. No costs.

02.07.2024

NCC:yes/no
Index:yes/no
Internet:yes/no
Nsr

To:

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R.N.MANJULA, J.

Nsr

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