



W.A.(MD).No.2105 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 24.10.2024

CORAM:

**THE HONOURABLE MR.JUSTICE R.SUBRAMANIAN
and
THE HONOURABLE MRS.JUSTICE L.VICTORIA GOWRI**

**W.A.(MD).No.2105 of 2024
and
C.M.P.(MD)No.14925 of 2024**

Abdulla

... Appellant

-VS-

- 1.The State of Tamil Nadu,
Represented by the Principal Secretary to Government,
Agriculture Department,
Fort St. George,
Chennai – 600 009.
 - 2.The Director of Agriculture,
Chepauk,
Chennai – 600 005.
 - 3.The Director of Vigilance and Anti Corruption (DVAC),
No.293, M.K.M.Salai,
Alandur, Chennai – 600 016.
- ... Respondents

PRAYER: Writ Appeal filed under Clause 15 of Letters Patent Act, against the order passed by this Court in W.P.(MD)No.15830 of 2024, dated 01.08.2024.

For Appellants

: Mr.K.P.S.Palanivel Rajan, Senior Counsel
For Mr.A.Joel Paul Antony



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For Respondents : Mr.R.Bhaskaran,
Additional Advocate General
Assisted by
Mr.P.T.Thiraviyam,
Government Advocate

JUDGMENT

[Judgment of the Court was made by R.SUBRAMANIAN, J.]

Orders in the disciplinary proceedings launched by the Government against its employees were challenged by the petitioner, who is a third party to the proceedings before the writ court.

2.The Writ Court rightly rejected the challenge, relying upon ***Rajnit Prasad v. Union of India and Others***, wherein it was very clearly held in service disputes cannot be subject matter of Public Interest Litigation at the instance of third parties. It is essentially a matter between the employer and employee.

3.Mr.K.P.S.Palanivel Rajan, learned Senior Counsel appearing for the petitioner would however rely upon the Hon'ble Supreme Court in ***B.C.Chaturvedi v. Union of India and Others*** reported in **(1995) 6 Supreme Court Cases 749**, to contend that the basis for dropping of proceedings is not correct. No doubt, in ***Chaturvedi***, the Hon'ble Supreme Court has stated that merely because disciplinary proceedings are pending



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for 30 years, they should not be dropped. But there, the challenge was by the concerned employee himself. Here it is not the case. Later decision of the Hon'ble Supreme Court in ***Rajnit Prasad v. Union of India and Others*** reported in ***(2000) 9 Supreme Court Cases 313***, has very clearly held that service matters cannot be subject matter of Public Interest Litigation and a third party to the proceedings has no *locus standi* to challenge the proceedings. We see no merit in the Appeal.

4.Hence, the Writ Appeal fails and it is accordingly, dismissed. No Costs. Consequently, connected miscellaneous petition is closed.

[R.S.M., J.] [L.V.G., J.]
24.10.2024

NCC :Yes/No
Index :Yes/No
Internet: Yes
Mrn



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To

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