



W.P.(MD) No.22105 of 2017

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 03.12.2024

CORAM:

THE HONOURABLE MR.JUSTICE K.KUMARESH BABU

W.P.(MD) No.22105 of 2017

M.Selvam

.. Petitioner

Vs.

1.The Presiding Officer/
District and Sessions Judge,
Integrated Court Complex,
Lakshmipuram, Theni District.

2.The Presiding Officer/
District Munsif cum Judicial Magistrate,
Andipatti, Theni District.

3.Thangam

.. Respondents

Prayer: Petition filed under Article 226 of the Constitution of India, praying for issuance of Writ of Mandamus, to direct the 1st and 2nd respondents to take appropriate departmental action against the 3rd respondent for her involvement in the criminal case in Cr.No.518/2015 dated 17.08.2015 under Sections 147, 148, 506(ii) and 420 of IPC on the file of the Inspector of Police, Andipatti Police Station, Theni District.

For Petitioner : Mr.R.Shankarganesh



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ORDER

The prayer in the writ petition is seeking for a direction to initiate departmental action against the third respondent for her involvement in a criminal case in Crime No.518/2015 on the file of the Inspector of Police, Andipatti Police Station.

2. It is well settled that a third party, not connected with any service dispute, can invoke the provisions of Article 226 of the Constitution of India to seek a mandamus to take action against any employee or official. Disciplinary proceedings is essential matter between employer and the employee and a stranger particularly, a person who was the complainant which led to a criminal case, cannot claim to initiate departmental action. The said principal has been laid down by the Honb'le Apex Court in the case of ***Ranjith Prasad Vs. Union of India (UoI) and Ors.***, reported in ***AIR 2000 SC 3469***.

3. In view of the same, the prayer as sought for by the writ petitioner cannot be entertained by this Court.



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4. Accordingly, this Writ petition stands dismissed. However, there shall be no order as to costs.

03.12.2024

NCC : Yes/No

Index : Yes/No

Internet : Yes

abr

To

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District and Sessions Judge,
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Lakshmipuram, Theni District.

2.The Presiding Officer/
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Andipatti, Theni District.



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K.KUMARESH BABU, J.

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