



W.P.No.8971 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 13.03.2025

CORAM:

THE HONOURABLE MR. JUSTICE **G.K.ILANTHIRAIYAN**

W.P.No.8971 of 2025

V.Ramesh

... Petitioner

-Vs-

1. Director General of Police,
Dr Radhakrishnan Salai Road,
Mylapore, Chennai 600 004.

2. A. Arun
Commissioner of Police,
Greater Chennai,
Chennai.

...Respondents

Prayer : Writ Petition filed under Article 226 of Constitution of India praying for the issuance of a Writ of Mandamus, directing the first respondent to consider the petitioner representation dated 08.03.2025 and to take necessary action against the second respondent.

For Petitioner

: Mr.C.Gunasekaran

For Respondents

: Mr.Hasan Mohamed Jinnah

State Public Prosecutor

assisted by

Mr.A.Damodaran

Additional Public Prosecutor

Mr.A.Gopinath

Government Advocate (Crl.side)

ORDER



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This Writ Petition has been filed for direction directing the first respondent to consider the petitioner representation dated 08.03.2025 and to take necessary action against the second respondent.

2. Heard both sides and perused the materials available on record.

3. The petitioner is an Advocate. He came to understand about the order passed by this Court in Crl.O.P.Nos.31418, 31419, 31425, 31426 and 31429 of 2024 dated 13.02.2025, thereby ordering for transfer of investigation and made some observations. Based on the observations, the petitioner has now filed a complaint seeking appropriate disciplinary and departmental action as against the second respondent, alleging that the second respondent registered a case with malafide intention and foisted a false case as against the petitioner in those petitions. However, the petitioner herein, being an Advocate has no locus standi to lodge such a complaint, especially seeking disciplinary proceedings as against the second respondent. If any wrongdoing has been committed by the second respondent, it is within the purview of the first respondent to initiate departmental proceedings. Mere observations made by this Court that too in the petitions filed by third party seeking transfer of investigation, it cannot be said that it requires departmental action as against the second respondent.



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4. A perusal of the order passed by this Court in Crl.O.P.Nos.31418, 31419, 31425, 31426 and 31429 of 2024 dated 13.02.2025 revealed that certain observations were made while transferring the investigation in Crime Nos. 180, 182, 266, 181 and 176 of 2024 to the file of the CBCID. However, thereafter, it was mentioned before this Court and by an order dated 05.03.2025, this Court observed that the new investigating agency, viz., CBCID, shall investigate the cases independently, without being influenced by any of the earlier observations made by this Court. Therefore, the observations made in the transfer of investigation order cannot be the relied upon as grounds to initiate any action as against the second respondent.

5. The investigation agency viz, CBCID is required to examine whether the allegations made in the said complaints are false or genuine. Only upon the conclusion of investigation or trial, it will become clear whether those allegations are true or false. That apart, the petitioner has no locus standi to file this petition for direction to initiate departmental proceeding as against the second respondent.

6. In view of this writ petition is devoid of merits and is liable to be



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dismissed. Accordingly, this writ petition is dismissed. No costs.

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13.03.2025

Internet: Yes

Index : Yes/No

Neutral Citation: Yes/No

Speaking/Non Speaking order

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To

1. The Director General of Police,
Dr Radhakrishnan Salai Road,
Mylapore, Chennai 600 004.
2. The Public Prosecutor,
High Court, Madras.



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G.K.ILANTHIRAIYAN. J,

mn

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