



W.P. No. 19860 of 2019

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 17.04.2025

CORAM

THE HON'BLE Ms. JUSTICE R.N.MANJULA

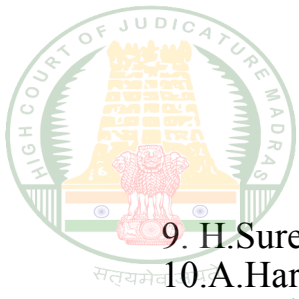
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Puducherry Mother Theresa Post Graduates & Research
Institute of Health Science Non-Teaching Staffs Association
Rep. By its Secretary
V.Raman, S/o.Veerappan
B.U.T.Government Staff Quarters
Lawspet, Puducherry-8.

... Petitioner

-VS-

1. Union of India
Rep. By the Chief Secretary to Government
cum-Chief Vigilance Officer
Chief Secretariat, Puducherry.
2. The Secretary to Government
Health Department
Chief Secretariat, Puducherry.
3. The Director of Health Services
Family and Health Department
Puducherry.
4. The Dean
Mother Theresa Post Graduate & Research Institute of
Health Sciences (Government of Puducherry Institution)
Indira Nagar, Gorimedu
Puducherry – 605006.
5. A.Aswini Asokan
6. J.Nanthini
7. S.Ilango
8. V.Sangeetha



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9. H.Suresh
10. A.Harikrishnan
11. S.Lalitha
12. N.Avarkan Antony

... Respondents

Prayer:- Writ Petition filed under Article 226 of the Constitution of India, 1950, praying to issue a Writ of Mandamus, directing the respondents 1 to 4 to take action for terminating the services of the respondents 5 to 12 herein who were appointed through backdoor method and initiate departmental action against the officials who have made the backdoor appointments and recover the payments made to such appointees from the salary of the erring officials on the basis of the representation of the petitioner dated 21.09.2017.

For Petitioner : Mr. M.Kathir for Mr.M.Gnanasekar

For Respondents : Mr.M.Nirmal Kumar, GA (Puducherry) (RR1 to 4)
Mr.P.Suresh (RR5 to 12)

ORDER

This writ petition has been filed for a direction to direct the first to fourth respondents to take action for terminating the services of the fifth to twelfth respondents herein, who were appointed through back door method and initiate departmental action against the officials, who have made the back door appointments and recover the payments made to such appointees from the salary of the erring officials on the basis of the representation of the petitioner dated 21.09.2017.



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2. Heard Mr.M.Kathir, learned counsel for the petitioner and Mr.M.Nirmal

WEB COPY Kumar, learned Government Advocate (Puducherry) for the first to fourth respondents and Mr.P.Suresh, learned counsel for the fifth to twelfth respondents and perused the materials placed on record, apart from the pleadings of the parties.

3. The petitioner has not stated anywhere how he has got the cause of action to invoke the service jurisdiction, when he is not an employee of the respondents. A kind of Public Interest Litigation appears to have given a service writ petition by an association without any *locus standi*. The petitioner has filed this writ petition seeking directions against the first to fourth respondents to initiate action against his own employees, though there is no master and servant relationship between the petitioner and the first to fourth respondents. Further, it is well within the discretion of the first to fourth respondents to initiate action for any malpractice occurred in the institution and the petitioner cannot seek any such direction by making generalized allegations.

4. As the very jurisdiction of this Court has been invoked without due cause of action, this writ petition is liable to be dismissed as not maintainable.



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5. With the above observations, this writ petition is dismissed. No costs.

WEB COPY

17.04.2025

Internet: Yes/No

Speaking /Non-speaking order

Neutral Case Citation: Yes/No

Maya

To

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Rep. By the Chief Secretary to Government
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Chief Secretariat, Puducherry.
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R.N.MANJULA, J.

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