IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27.06.2025

CORAM

THE HONOURABLE MR.JUSTICE C.KUMARAPPAN

W.P.No.23169 of 2025

A.Dharmalingam ... Petitioner

Vs.

1.The Principal Secretary to Government,
Commercial Taxes and Registration Department,
Secretariat,
Chennai – 600 009.

2.The Commissioner of Commercial Taxes,
Office of the Commercial Taxes,
Chepauk,
Chennai – 600 005.

3.The Joint Commissioner (Administration),
O/o. The Commercial Taxes,
Chepauk,
Chennai – 600 005.

4.The Joint Commissioner (CT),
O/o. Joint Commissioner,
Salem Division, Commercial Taxes Complex,
Picharts Road, Hasthampatti,
Salem – 636 007.

5.The Deputy Commissioner (CT),
O/o. Deputy Commissioner Salem-II,
Commercial Taxes Complex 4th Floor,
Picharts Road, Hasthampatti,
Salem – 636 007.

6.S.Mahendran

7.V.Deepa
8.M.Ravi ... Respondents

Prayer:

Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the respondents 1 to 5 to take appropriate departmental action against respondents 6 to 8 for having initiated and pursued baseless proceedings, which led to the wrongful suspension of the petitioner, causing severe mental agony, loss of dignity, and hardship; and consequently direct the respondents to pay compensation to the petitioner for the mental agony, emotional distress, and reputational loss suffered due to the illegal and high handed actions of respondents 6 to 8.

For Petitioner : Mr.S.Saravanan
For Respondents : Mr.C.Harsharaj for R1 to R5
Special Government Pleader

O R D E R

Mr.C.Harsharaj, learned Special Government Pleader takes notice on behalf of the respondents 1 to 5. Since this Court is not inclined to pass any adverse order as against respondents 6 to 8, notice to the respondents 6 to 8 is dispensed with. By consent, the writ petition is taken up for final disposal at the admission stage itself.

2.The instant writ petition has been filed to consider the petitioner's representation dated 07.09.2020 which is nothing but a complaint against respondents 6 to 8.

3.It is the specific submission of the learned counsel appearing for the petitioner that respondents 6 to 8 have deliberately and illegally suspended the petitioner and apart from that they have delayed the disciplinary proceedings. In the meanwhile, the order of suspension was revoked in the year 2018.

4.The learned counsel appearing for the petitioner would further submit that only because of the motivated act of the respondents 6 to 8, the petitioner has been illegally suspended.

5.However, the learned Special Government Pleader would strongly object the contention of the learned counsel appearing for the petitioner and would submit that the very ground of illegal suspension has not been established. Therefore, the question of entertaining the complaint against the respondents does not arise.

6.I am in full agreement with the submission of the learned Special Government Pleader. It is pertinent to mention that the personal grudge between the petitioner and respondents 6 to 8 cannot be settled through writ petition. I do not find any merit in the writ petition. In the result, the writ petition is dismissed. No costs.

27.06.2025

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Index: Yes/ No
Speaking Order: Yes/ No
NCC: Yes/ No

To

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C.KUMARAPPAN,J.
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