



W.P.No.21784 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

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DATED : 10.02.2025

CORAM:

THE HONOURABLE MR. JUSTICE D.BHARATHA CHAKRAVARTHY

W.P.No.21784 of 2022

S.Rajendiran

... Petitioner

Vs.

- 1.Union of India
Rep.by the Chief Secretary to Government
Government of Puducherry
Chief Secretariat
Gubert Avenue
Puducherry 605 001.
- 2.The Secretary to Government (Welfare)
Government of Puducherry
WRJP & 84P, White Town
Puducherry 605 001.
- 3.The Director
Department of Women and Child Development
Housing Board Complex
(Opp.to LIC), New Saram
Puducherry 605 013.



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4.Tmt.Banumathi

Protection Officer

Department of Women and Child Development

Union Territory of Puducherry Child Protection Society

Kamarajarsalai

Opp.to LIC Office, New Saram

Puducherry 605 013.

....Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents 2 & 3 to consider the petitioner's representation dated 22.12.2021 and consequently direct the third respondent to take action against the fourth respondent to terminate as an unbecoming Government Servant based on the complaint dated 20.05.2022 vide No.104/CWC/2022 sent by the Chairperson, the Child Welfare Committee, Puducherry.

For Petitioner : Ms.R.Kalaiyarasi

For Respondents : Mr.R.Sreedhar for R1 to R3
Additional Government Pleader

Mr.Babu Rangasamy for R4

ORDER



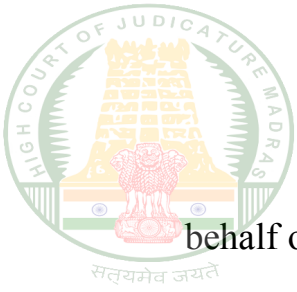
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This Writ Petition is filed for a Writ of Mandamus directing the respondents 2 and 3 to consider the petitioner's representation, dated 22.12.2021 and consequently, direct the respondents to take action against the fourth respondent to terminate as an unbecoming Government Servant on the complaint dated 20.05.2022, vide No.104/CWC/2022, sent by the Chairperson, Child Welfare Committee, Puducherry.

2. When the petitioner was working as a Chairperson of the Child Welfare Committee, he had sent a complaint as against the fourth respondent. He is no more the Chairperson, but, however, he is pursuing the same by way of the present Writ Petition. On going through the representation of petitioner, the petitioner only alleges certain misconduct on the part of the fourth respondent. It is now well settled that initiation of disciplinary enquiry is in the domain of the employer and merely because a third person sends a complaint, that will not give rise to a right for that person to come by way of a Mandamus to compel the Government to initiate disciplinary enquiry.

3. The learned Additional Government Pleader appearing on



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behalf of the respondents 1 to 3 submits that as a matter of fact, there has been several complaints received against all the officials, including the petitioner and the Government has dealt with the same. As a matter of fact, the fourth respondent was transferred from the said place and there was allegations against the petitioner also.

4. The learned counsel appearing on behalf of the fourth respondent also had filed a counter affidavit denying the said submissions made by the learned counsel for the petitioner.

5. In view of the fact that the petitioner cannot come by way of a mandamus seeking disciplinary action and it is for the respondents and the petitioner does not have any right to compel for taking disciplinary action on the basis of the complaint after he has retired from the service.

6. With the above observations, this Writ Petition is disposed of.

No costs.



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Neutral Citation : No
dna

To

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