



WP.No.2823 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

WEB COPY

DATED : 13.08.2025

CORAM

**THE HONOURABLE MR. JUSTICE N. SATHISH KUMAR**

**W.P.No.2823 of 2022**

M.Prem Kumar

.. Petitioner

Versus

1.The Chairman

Tamil Nadu Electricity Board  
No.1244, Mount Road  
Chennai – 600 002

2. The Chief Engineer

Tamil Nadu Electricity Board (North)  
Regional Office  
Chennai – 600 002

3.Karthik Ganesh

4.Vignesh

5.Mohan Raj

6.Kondithoppu Sessan

.. Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the respondents 1 and 2 to issue sanction order against the respondents 3 to 6 to prosecute under Section 200 Cr.P.C., based on the petitioner representation dated 29.10.2021.

For Petitioner : Mr.K.Thenrajan

For Respondents : Mr.K.Rajkumar for R1 & R2  
Ms.S.Banumath for  
Mr.S.Neduchezhiyan for R3 to R5  
No appearance for R6

**ORDER**



WP.No.2823 of 2022

WEB COPY

This writ petition has been filed seeking for direction to the respondents 1 and 2 to issue sanction order against the respondents 3 to 6 to prosecute under Section 200 Cr.P.C., based on the petitioner representation dated 29.10.2021.

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

3. It is relevant to note that law laid down under Section 197 of Cr.P.C., makes it absolutely clear that sanction is required not only for the acts done in discharge of official duty, it is also required for an act purported to be done in discharge of official duty and/or act done under colour of or in excess of such duty or authority. Normally, sanction of the Government to prosecute a public servant is imperative to protect him from facing harassive, retaliatory, revengeful and frivolous proceeding. If on the face of the complaint, the act alleged appears to have a reasonable relationship with official duty, where the criminal proceedings is apparently prompted by malafides and instituted with ulterior motive, direction to grant sanction order against the respondents 3 to 6 to prosecute under Section 200 Cr.P.C., should not be granted.

4. In the case on hand, it appears there is some personal animosity between the petitioner and the respondents 3 to 5 which would clearly indicate



WP.No.2823 of 2022

that this petition is nothing but motivated and already FIR has been registered against the petitioner on the basis of the complaint made by the third respondent. Thus, this Court is of the view that merely on the basis of allegations with ulterior motives and malafides, there cannot be any direction to grant sanction under 197 of CrPC as against the respondents 3 to 6 to prosecute them under Section 200 Cr.P.C., based on the petitioner's representation dated 29.10.2021.

5. Such view of the matter, this writ petition stands dismissed. No costs.

**13.08.2025**

dhk

Index :Yes/No  
Internet :Yes/No

To,

- 1.The Chairman  
Tamil Nadu Electricity Board  
No.1244, Mount Road  
Chennai – 600 002
2. The Chief Engineer  
Tamil Nadu Electricity Board (North)  
Regional Office  
Chennai – 600 002

**N.SATHISH KUMAR, J.**



WEB COPY



WP.No.2823 of 2022

dhk

3.The Public Prosecutor  
Madras High Court

W.P.No.2823 of 2022

13.08.2025