

W.A(MD)No.2360 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED : 18.08.2025

CORAM:

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

AND

THE HONOURABLE MR.JUSTICE G.ARUL MURUGAN

W.A(MD)No.2360 of 2025

Ganesan

... Appellant

Vs.

1. State of Tamil Nadu,
Rep by its Principal Secretary to
Government,
Home Department,
Fort St.George, Chennai.

2. The Director General of Police,
Office of the Director General of Police,
Mylapore,
Chennai.

3. The Director,
Vigilance and Anti Corruption,
No.293,M.K.N.Road,
Alandur,
Chennai -16.

4. The District Collector,
District Collectorate,



W.A(MD)No.2360 of 2025

Tirunelveli,
Tirunelveli District.

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5. The Superintendent of Police,
O/o.The Superintendent of Police,
Tirunelveli,
Tirunelveli District.

6. S.Essaki,
S/o.Subbaiah,
Sub Inspector (Retd),
Surandai Police Station,
Tirunelveli District.

7. S.Anandakumar,
S/o.V.C.Selvaraj,
Inspector, Surandai
Police Station,
Tirunelveli District.

8. N.Thirupathi,
Inspector,
Surandai Police Station,
Tirunelveli,
Tirunelveli District.

9. A.Perumal,
S/o.Atchimuthu,
Inspector,
Surandai Police Station,
Tirunelveli,
Tirunelveli District.

...Respondents

PRAYER: Writ Appeal filed under Clause XV of the Letters Patent Appeal, to
set aside the order passed in W.P.(MD) No.9913 of 2019 dated 03.12.2024.



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W.A(MD)No.2360 of 2025

For Appellant : Mr.G.Balakrishnan
For R1 – R5 : Mr.S.P.Maharajan
Special Government Pleader

JUDGMENT

(Judgment of the Court was made by ***G.ARUL MURUGAN, J.***)

We have heard the learned counsel appearing for the appellant and Mr.S.P.Maharajan, learned Special Government Pleader appearing for the respondents 1 to 5.

2. The intra-court appeal has been filed by the Writ Petitioner against the order dated 03.12.2024 passed in W.P.(MD) No.9913 of 2019, rejecting the petitioner's prayer to initiate departmental proceedings as against the respondents 6 to 9.

3. It is the contention of the learned counsel for the appellant that the appellant, who is the retired Village Administrative Officer had made a complaint as against the respondents 6 to 9, who are working as Inspectors of Police, seeking to initiate departmental proceedings against them by the authorities.



W.A(MD)No.2360 of 2025

WEB COPY

4. Since no action was taken, the petitioner/appellant had approached this Court by way of filing a writ petition seeking for a direction to initiate appropriate disciplinary proceedings under the Service Rules as against the respondents 6 to 9. It is his further contention that the appellant since had espoused the public cause, wherein the respondents 6 to 9 had acted in contravention to the service regulations and he has instituted a complaint, the same has not been looked into by the authorities and the Writ Court had also erroneously dismissed the writ petition without adjudicating the issue on merits.

5. The learned Special Government Pleader appearing for the respondents 1 to 5 contended that the appellant have no *locus standi* to come with the present writ petition when the respondents 6 to 9 are Inspectors of Police being public servants and the appellant being a third-party cannot come with such a prayer to initiate disciplinary proceedings as against the respondents 6 to 9 and accordingly, sought for dismissal of the writ appeal.

6. Heard the rival submissions and considered the materials available on record.



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7. Admittedly, the petitioner is a third-party who seeks to initiate disciplinary proceedings as against the respondents 6 to 9, who are serving as Inspectors of Police. It is the contention of the appellant that the respondents had indulged in certain activities prejudicial to his interest and therefore, proceedings are to be initiated against them under the service regulations. The appellant claims that he being the retired Village Administrative Officer is having knowledge about the irregularities committed by the private respondents and he has submitted a petition which has to be looked into and appropriate proceeding has to be initiated.

8. The petitioner has no *locus standi* to seek initiation of disciplinary proceedings as against the respondents 6 to 9, who are the public servants working as Inspectors of Police. If at all any irregularity is committed by the respondents 6 to 9, it is for the competent authorities to look into the same and take appropriate action. The petitioner, being a third-party had come up with the petition that he has some knowledge of certain activities undertaken by the respondents 6 to 9, which, according to him constitute a violation in service rules and therefore, they ought to be proceeded under the service regulations.



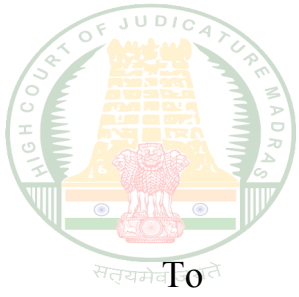
W.A(MD)No.2360 of 2025

9. Public servants performing public duties are presumed to be in good faith unless a contravention is established. Therefore, the relief sought for by the appellant as such cannot be considered since he being the third-party with no *locus standi* to initiate such proceedings as against the respondents 6 to 9. The Writ Court has rightly considered the decisions rendered by this Court in this regard and had dismissed the writ petition holding that the writ petition filed by the petitioner is not maintainable. We do not find any infirmity in the order passed by the learned Single Judge.

10. Accordingly, the writ appeal stands dismissed. No costs.

(S.M.S., J.) & (G.A.M., J.)
18.08.2025

NCC : Yes / No
Index : Yes / No
PKN



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