



W.P(MD)No.24899 of 2019

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
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DATED: 03.01.2025

CORAM:

THE HONOURABLE MR.JUSTICE B.PUGALENDHI

WP(MD). No.24899 of 2019

G.Krishnan,

... Petitioner

Vs

1.The Director General,
Directorate General Resettlement,
4, Unnamed Road,
West Block,
Rama Krishna Puram,
New Delhi-110022.

2.The Manager,
Indian Oil Corporation Ltd.,
CTMPL
Kappallur,
Madurai.

3.Col.B.B.Pandian (Ex),
Security Agency,
Thudiyalur Road,
Saravanampatti,
Coimbatore-641035.

...Respondents



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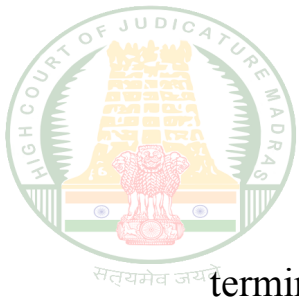
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PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue Writ of Mandamus, directing the 1st and 2nd respondents to take appropriate action against the 3rd respondent, as per Section 26 of Office Memorandum in No. 28(3)/2012-D (Res-1), dated 09.07.2012 as amended dated 16.01.2013, issued by the 1st respondent and based upon complaint made by the petitioner dated 03.05.2019.

For Petitioner	: Mr.K.K.Kannan
For R1	: Mr.Jeyasingh
For R2	: No appearance

ORDER

The petitioner, who is an ex-serviceman, after his retirement, served as a Security Officer in the Indian Oil Corporation Ltd., CTMPL, Kappallur, Madurai/the second respondent herein. The petitioner has approached this Court with a grievance that for having taken three days leave for the death of his wife in the month of September 2018, the third respondent has deducted three days salary from the salary paid to him for the month of September 2018 and when the same was questioned by the petitioner, he was



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terminated from service. Therefore, this petitioner has submitted a representation to the respondents 1 and 2 and approached this Court, seeking a Mandamus, to direct the respondents 1 and 2 to take action as against the third respondent, as per Section 26 of Office Memorandum in No.28(3)/2012-D (Res-1), dated 09.07.2012 and also considering his representation.

2. The petitioner has not effected service of notice on the third respondent so far. Though the second respondent was served, there is no representation for the second respondent.

3. The learned counsel appearing for the first respondent submits that this petitioner is a contract employee, working under Col.B.B.Pandian (Ex), Security Agency, Coimbatore, a Contractor/ the third respondent herein. The respondents 1 and 2 are not having any role to redress the grievance of the petitioner in this writ petition. He further submits that this petitioner has already resigned the job on 16.03.2019.



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4.This Court considered the rival submissions made.

5.The petitioner, an ex-serviceman with a grievance that he has been terminated from service, for having questioned the conduct of the third respondent in deducting a sum of Rs.3,000/- for having taken leave for his wife's death has approached this Court. It appears that this petitioner has worked under the third respondent/ a private Security Agency and this private Security Agency has provided security personnels to the second respondent on contract basis. In the event, if this petitioner is having any grievance as against the third respondent in respect of his illegal termination, then he has to work out his remedy before the Commissioner of Labour and not before this Court by way of a writ petition. It is also reported that the petitioner has resigned his job on 16.03.2019.



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6.In view of the above, this writ petition is dismissed.

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No costs.

03.01.2025

NCC:Yes/No

Index:Yes

vrn

To

The Sub Treasury Officer,
Sub Treasury,
Pattukkottai,
Thanjavur District.



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B.PUGALENDHI, J.

vrn

Order made in
WP(MD). No.24899 of 2019

03.01.2025