



W.P.(MD).No.19700 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 21.07.2025

CORAM:

THE HONOURABLE MR.JUSTICE VIVEK KUMAR SINGH

W.P.(MD)No.19700 of 2025

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... Petitioner

-VS-

1. The Superintendent of Police,
Dindigul District.

2. The Deputy Superintendent Of Police,
Nilakkottai,
Nilakkottai Taluk,
Dindigul District.

3. The Inspector of Police,
Ammayianackanoor Police Station,
Dindigul District.

4. Balakrishnan

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus directing the respondents 1 to 3 to take appropriate departmental action as against the 4th respondent for his violation of the Moral turpitude on the basis of the petitioner's representation dated 18.06.2025 and the FIR in Crime No. 150 of 2025 on the file of the 3rd respondent within a stipulated time as may be fixed by this Court.



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For Petitioner : Mr.R.Rajaraman

For Respondents : Mr.K.Balasubramani (R1 to R3)

Special Government Pleader

ORDER

This writ petition has been filed seeking a direction to the respondents 1 to 3 to take appropriate departmental action as against the 4th respondent for his violation of the moral turpitude on the basis of the petitioner's representation dated 18.06.2025 and also on the basis of FIR in Crime No. 150 of 2025 on the file of the 3rd respondent within a stipulated time as may be fixed by this Court.

2. Heard the learned counsel on either side. Considering the nature of the order proposed to be passed in this writ petition, notice to the fourth respondent is dispensed with.

3. The petitioner is the mother of the fourth respondent, who is the elder son working as Police Constable. According to the petitioner, since the fourth respondent married one Brindhalakshmi against the will and wish of his parents, he is having enmity against the petitioner and other relatives, due



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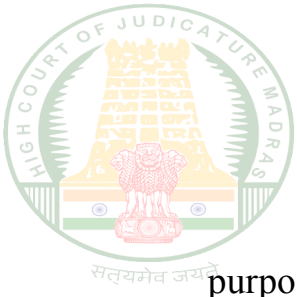
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to which, he is making life threat against the petitioner and his family members. Hence, the petitioner lodged a complaint before the third respondent police, which was registered in Crime No.150 of 2025. She has also made a complaint to the first respondent on 08.06.2025. Since no action has been taken sofar, the petitioner made a representation on 18.06.2025. Even thereafter no action has been taken. Hence, the petitioner came before this Court.

4. Heard the learned counsel on either side and perused the materials placed before this Court.

5. The petitioner, who is a third party to the department, cannot seek for departmental action against the government servant, since the decision to initiate such departmental proceedings is within the scope of the concerned disciplinary authority and it is not for a third party to invoke Article 226 of the Constitution of India, for the purpose of directing the authorities to initiate/conclude such action.

6. In view of the above and also taking note of the legal position that the third parties cannot invoke Article 226 of the Constitution of India for the



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purpose of initiating departmental proceedings / action against the government employees, and also by observing that the petitioner cannot have any legal right to seek for necessary action to be taken as against the fourth respondent, this Court is of the considered view that this writ petition is liable to be dismissed, since disciplinary action is between the employer and employee.

7. With the above observations, the Writ Petition stands dismissed.

There shall be no order as to costs.

21.07.2025

NCC : Yes/No
Index : Yes / No
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VIVEK KUMAR SINGH, J.

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