



W.P.(MD)No.22207 of 2025

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **13.08.2025**

CORAM:

THE HONOURABLE **MR.JUSTICE M.DHANDAPANI**

W.P.(MD) No.22207 of 2025

Thangapandi

: Petitioner

Vs.

1. The District Collector,
Office of the District Collector,
Ramanathapuram District.
2. The Joint Director (Aided Schools),
School Education Department,
Chennai.
3. The Chief Educational Officer,
Office of the Chief Educational Office,
Ramanathapuram District.
4. The District Educational Officer,
Office of the District Educational Office,
Mandapam,
Ramanathapuram District.

5. Narayanan

: Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus directing the respondents 1 to 4 herein to take necessary departmental action against the 5th respondent by considering the petitioner's representation dated 03.06.2025 in accordance with law within the time stipulated by this Court.



WEB COPY



W.P.(MD)No.22207 of 2025

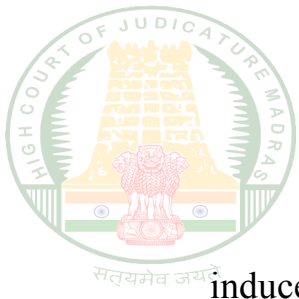
For Petitioner : Mr.V.Malaiyendran
For Respondents : Mr.M.Siddharthan (R1 to R4)
Additional Government Pleader

ORDER

This writ petition has been filed seeking a direction to the respondents 1 to 4 herein to take necessary departmental action against the 5th respondent by considering the petitioner's representation dated 03.06.2025 in accordance with law within the time stipulated by this Court.

2. Considering the nature of the order proposed to be passed in this writ petition, notice to the fifth respondent is dispensed with and this writ petition is taken up for final disposal at the stage of admission itself.

3. The learned counsel appearing for the petitioner submits that the petitioner is a resident of N.Kamarajapuram, Narippiyoor Village, Kadaladi Taluk, Ramanathapuram District and the fifth respondent, who is working as a Teacher in Chathiriya Hindu Nadar Nadu Nilaya Palli, which is a government aided middle school, consumed alcohol and



W.P.(MD)No.22207 of 2025

WEB COPY

induced the school students and hence, the petitioner made a complaint before the third respondent, who in turn forwarded the same to the fourth respondent for conducting appropriate enquiry. However, no order was passed till date. Hence, the petitioner came before this Court.

4. The learned Additional Government Pleader appearing for the official respondents submits that the petitioner made a complaint before the third respondent, who in turn, directed the fourth respondent to conduct enquiry. The fourth respondent conducted an enquiry on the allegations levelled against the fifth respondent. The Headmistress and the Secretary of the aforesaid school, where the petitioner is working, sent a reply dated 17.06.2025 stating that the incident which was mentioned in the allegation levelled against the fifth respondent was not happened and the said complaint itself is wrong. The learned Additional Government Pleader appearing for the official respondents has also produced the reply dated 17.06.2025 submitted by the Headmistress and the Secretary of the aforesaid school.

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



W.P.(MD)No.22207 of 2025

WEB COPY

6. On perusal of the records, it is seen that the complaint made against the fifth respondent itself is wrong. Even if it is so, it is for the employer, who is the disciplinary authority to take appropriate action. Taking disciplinary action against a public servant is the prerogative right of the employer. The issue raised in this Writ Petition is no longer *res integra* and has been settled by the Hon'ble Supreme Court of India in ***Rajnit Prasad v. Union of India and Others***, reported in (2000) 9 SCC 313. The relevant paragraph is extracted below:

“...In respect of departmental proceedings which are initiated or sought to be initiated by the Government against its employees, a person who is not even remotely connected with those proceedings cannot challenge any aspect of the departmental proceedings or action by filing a Writ Petition in the High Court or in this Court. Disciplinary action against an employee is taken by the Government for various reasons principally for "misconduct" on the part of the employee. This action is taken after a "domestic" enquiry in which the employee is provided an opportunity of hearing as required by the constitutional mandate. It is essentially a matter between the employer and the employee, and a stranger; much less a practising advocate, cannot be said to have any interest in those proceedings. Public interest of general importance is not involved in disciplinary proceedings. In fact, if such petitions are entertained at the instance of persons who are not connected with those proceedings, it would amount to an abuse of the process of Court.”



W.P.(MD)No.22207 of 2025

WEB COPY

7. Applying the above ratio in the present case, this Court is of the considered view that that the petitioner, being a third party to any departmental proceedings against the fifth respondent, has no *locus standi* to seek judicial view of such action. In light of the above, the relief sought by the petitioner is not maintainable. Accordingly, this writ petition is dismissed. There shall be no order as to costs.

13.08.2025

Index : Yes / No
NCC : Yes / No
Sm

To:-

1. The District Collector,
Office of the District Collector,
Ramanathapuram District.
2. The Joint Director (Aided Schools),
School Education Department,
Chennai.
3. The Chief Educational Officer,
Office of the Chief Educational Office,
Ramanathapuram District.
4. The District Educational Officer,
Office of the District Educational Office,
Mandapam,
Ramanathapuram District.



WEB COPY



W.P.(MD)No.22207 of 2025

M.DHANDAPANI, J.

Sm

W.P.(MD) No.22207 of 2025

13.08.2025